

NH.gov NH at-a-Glance



State Constitution - Bill of Rights

Part 1, Bill of Rights, of the New Hampshire State Constitution.

Article 1. [Equality of Men; Origin and Object of Government.] All men are born equally free and independent; Therefore, all government of right originates from the people, is founded in consent, and instituted for the general good.

June 2, 1784*

*The date on which each article was proclaimed as having been adopted is given after each article. This is followed by the year in which amendments were adopted and the subject matter of all the amendments.

[Art.] 2. [Natural Rights.] All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin.

June 2, 1784,

Amended 1974 adding sentence to prohibit discrimination.

[Art.] 2-a. [The Bearing of Arms.] All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state.

December 1, 1982

[Art.] 2-b. [Right of Privacy.] An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent.

December 5, 2018

[Art.] 3. [Society, its Organization and Purposes.] When men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others; and, without such an equivalent, the surrender is void.

June 2, 1784

[Art.] 4. [Rights of Conscience Unalienable.] Among the natural rights, some are, in their very nature unalienable, because no equivalent can be given or received for them. Of this kind are the Rights of Conscience.

June 2, 1784

[Art.] 5. [Religious Freedom Recognized.] Every individual has a natural and unalienable right to worship God according to the dictates of his own conscience, and reason; and no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession, sentiments, or persuasion; provided he doth not disturb the public peace or disturb others in their

religious worship.

June 2, 1784

[Art.] 6. [Morality and Piety.] As morality and piety, rightly grounded on high principles, will give the best and greatest security to government, and will lay, in the hearts of men, the strongest obligations to due subjection; and as the knowledge of these is most likely to be propagated through a society, therefore, the several parishes, bodies, corporate, or religious societies shall at all times have the right of electing their own teachers, and of contracting with them for their support or maintenance, or both. But no person shall ever be compelled to pay towards the support of the schools of any sect or denomination. And every person, denomination or sect shall be equally under the protection of the law; and no subordination of any one sect, denomination or persuasion to another shall ever be established.

June 2, 1784

Amended 1968 to remove obsolete sectarian references.

[Art.] 7. [State Sovereignty.] The people of this State have the sole and exclusive right of governing themselves as a free, sovereign, and independent State; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in Congress assembled.

June 2, 1784

[Art.] 8. [Accountability of Magistrates and Officers; Public's Right to Know.] All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted. The public also has a right to an orderly, lawful, and accountable government. Therefore, any individual taxpayer eligible to vote in the State, shall have standing to petition the Superior Court to declare whether the State or political subdivision in which the taxpayer resides has spent, or has approved spending, public funds in violation of a law, ordinance, or constitutional provision. In such a case, the taxpayer shall not have to demonstrate that his or her personal rights were impaired or prejudiced beyond his or her status as a taxpayer. However, this right shall not apply when the challenged governmental action is the subject of a judicial or administrative decision from which there is a right of appeal by statute or otherwise by the parties to that proceeding.

June 2, 1784

Amended 1976 by providing right of access to governmental proceedings and records.

Amended 2018 by providing that taxpayers have standing to bring actions against the government

[Art.] 9. [No Hereditary Office or Place.] No office or place, whatsoever, in government, shall be hereditary the abilities and integrity requisite in all, not being transmissible to posterity or relations.

June 2, 1784

[Art.] 10. [Right of Revolution.] Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

June 2, 1784

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the non payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

June 2, 1784

Amended 1903 to provide that in order to vote or be eligible for office a person must be able to read the English language and to write.

Amended 1912 to prohibit those convicted of treason, bribery or willfull violation of the election laws from voting or holding elective office.

Amended 1942 to provide for absentee voting in general elections.

Amended 1956 to provide for absentee voting in primary elections.

Amended 1968 to provide right to vote not denied because of nonpayment of taxes. Also amended in 1968 to delete an obsolete phrase.

Amended 1976 to reduce voting age to 18.

Amended 1984 to provide accessibility to all registration and polling places.

[Art.] 12. [Protection and Taxation Reciprocal.] Every member of the community has a right to be protected by it, in the enjoyment of his life, liberty, and property; he is therefore bound to contribute his share in the expense of such protection, and to yield his personal service when necessary. But no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. Nor are the inhabitants of this State controllable by any other laws than those to which they, or their representative body, have given their consent.

June 2, 1784

Amended 1964 by striking out reference to buying one's way out of military service.

[Art.] 12-a. [Power to Take Property Limited.] No part of a person's property shall be taken by eminent domain and transferred, directly or indirectly, to another person if the taking is for the purpose of private development or other private use of the property.

November 7, 2006

[Art.] 13. [Conscientious Objectors not Compelled to Bear Arms.] No person, who is conscientiously scrupulous about the lawfulness of bearing arms, shall be compelled thereto.

June 2, 1784

Amended 1964 by striking out reference to buying one's way out of military service.

[Art.] 14. [Legal Remedies to be Free, Complete, and Prompt.] Every subject of this State is

entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

June 2, 1784

[Art.] 15. [Right of Accused.] No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse or furnish evidence against himself. Every subject shall have a right to produce all proofs that may be favorable to himself; to meet the witnesses against him face to face, and to be fully heard in his defense, by himself, and counsel. No subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land; provided that, in any proceeding to commit a person acquitted of a criminal charge by reason of insanity, due process shall require that clear and convincing evidence that the person is potentially dangerous to himself or to others and that the person suffers from a mental disorder must be established. Every person held to answer in any crime or offense punishable by deprivation of liberty shall have the right to counsel at the expense of the state if need is shown; this right he is at liberty to waive, but only after the matter has been thoroughly explained by the court.

June 2, 1784

Amended 1966 to provide the right to counsel at state expense if the need is shown.

Amended 1984 reducing legal requirement proof beyond a reasonable doubt to clear and convincing evidence in insanity hearings.

[Art.] 16. [Former Jeopardy; Jury Trial in Capital Cases.] No subject shall be liable to be tried, after an acquittal, for the same crime or offense. Nor shall the Legislature make any law that shall subject any person to a capital punishment, (excepting for the government of the army and navy, and the militia in actual service) without trial by jury.

June 2, 1784

[Art.] 17. [Venue of Criminal Prosecutions.] In criminal prosecutions, the trial of facts, in the vicinity where they happened, is so essential to the security of the life, liberty and estate of the citizen, that no crime or offense ought to be tried in any other county or judicial district than that in which it is committed; except in any case in any particular county or judicial district, upon motion by the defendant, and after a finding by the court that a fair and impartial trial cannot be had where the offense may be committed, the court shall direct the trial to a county or judicial district in which a fair and impartial trial can be obtained.

June 2, 1784

Amended 1792 to change "assembly" to: legislature.

Amended 1978 so that court at defendant's request may change trial to another county or judicial district.

[Art.] 18. [Penalties to be Proportioned to Offenses; True Design of Punishment.] All penalties ought to be proportioned to the nature of the offense. No wise Legislature will affix the same punishment to the crimes of theft, forgery, and the like, which they do to those of murder and treason. Where the same undistinguishing severity is exerted against all offenses, the people are led to forget the real distinction in the crimes themselves, and to commit the most flagrant with as little compunction as they do the lightest offenses. For the same reason a multitude of sanguinary laws is both impolitic and unjust. The true design of all punishments being to reform, not to exterminate mankind.

June 2, 1784

Amended 1792 deleting "those of" after do in 3d sentence and changing "dye" to: offenses.

[Art.] 19. [Searches and Seizures Regulated.] Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions. Therefore, all warrants to search suspected places, or arrest a person for examination or trial in prosecutions for criminal matters, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order, in a warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure; and no warrant ought to be issued; but in cases* and with the formalities, prescribed by law.

June 2, 1784

Amended 1792 to change order of words.

[Art.] 20. [Jury Trial in Civil Causes.] In all controversies concerning property, and in all suits between two or more persons except those in which another practice is and has been customary and except those in which the value in controversy does not exceed \$1,500 and no title to real estate is involved, the parties have a right to a trial by jury. This method of procedure shall be held sacred, unless, in cases* arising on the high seas and in cases relating to mariners' wages, the Legislature shall think it necessary hereafter to alter it.

June 2, 1784

*"Cases" appears in 1792 parchment copy of constitution. Original constitutuion had "causes"

Amended in 1877 to prohibit jury trials unless the amount in controversy exceeds \$100.

Amended in 1960 to increase the amount to \$500 before a jury trial may be requested.

Amended in 1988 to change \$500 to \$1,500

[Art.] 21. [Jurors; Compensation.] In order to reap the fullest advantage of the inestimable privilege of the trial by Jury, great care ought to be taken, that none but qualified persons should be appointed to serve; and such ought to be fully compensated for their travel, time and attendance.

June 2, 1784

[Art.] 22. [Free Speech; Liberty of the Press.] Free speech and Liberty of the press are essential to the security of Freedom in a State: They ought, therefore, to be inviolably preserved.

June 2, 1784

Amended 1968 to include free speech.

[Art.] 23. [Retrospective Laws Prohibited.] Retrospective laws are highly injurious, oppressive, and unjust. No such laws, therefore, should be made, either for the decision of civil causes, or the punishment of offenses.

June 2, 1784

[Art.] 24. [Militia.] A well regulated militia is the proper, natural, and sure defense, of a State.

June 2, 1784

[Art.] 25. [Standing Armies.] Standing armies are dangerous to liberty, and ought not to be raised, or kept up, without the consent of the Legislature.

June 2, 1784

[Art.] 26. [Military Subject to Civil Power.] In all cases, and at all times, the military ought to be under strict subordination to, and governed by, the civil power.

June 2, 1784

Call #: 24-32563

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
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[RIGHTS/BOOKING CHECKS]

~~SECRET~~

[illegible]

#	OFFENSE (S)	ATTEMPTED	TYPE	CLASS
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[illegible]

1	Disobeying an Officer	N	Misdemeanor	A
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265 4

SIN: 00602002400032563003

Smart Code: 2654..MA00831

ℓ_1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
ℓ_2	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

2	Unregistered Vehicle	N	Violation
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261 40

SIN: 00602002400032563004

Smart Code: 26140..V03952

[illegible]

3	Failure to Display Plates	N	Violation
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261 176

SIN: 00602002400032563005

Smart Code: 261176..V04823

[illegible]

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1 STATE OF NH

[illegible]

Arrest #: 24-32563-AR
Call #: 24-32563

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	MANUFACTURED PLATE IDENTITY: 1 SERIAL #: 000 00000 DATE: 10 20 2024 OWNER: EVERETT, JOSEPH L	24-316-PR VALUE: \$1.00	Evidence (Not Nibrs Reportable)

On August 10, 2024 at approximately 1549 hours I was stationary on Route 101 at Black Forest Café. A black Mercedes with a fake manufactured plate was traveling east on 101. On the plate was the word "PRIVATE" also on the vehicle was a USDOT number. A stop was initiated and I spoke to the operator Joseph Everett. He stated that he was a foreign national and provided his U.S Passport card. It was determined that he had a valid NH license, but that the vehicle was not registered. Joseph informed me that he did not need NH DMV plates as he was operating a private vehicle and not for commercial use. Joseph was arrested for manufacturing and displaying fake plates. He was cuffed, and they were checked for fit and double locked. He was searched for weapons, contraband and implements of escape. None were found. Officer Chapman conducted the vehicle inventory and awaited Dan's City to tow the vehicle.

Joseph was subsequently booked, fingerprinted and photographed. When we returned to the PD Joseph complained of shoulder pain from being cuffed and because he had a bullet still lodged in his shoulder from many years ago. I immediately called Amherst EMS and he refused to go to the hospital stating that he would have his wife drive him to get checked out afterward. It should be noted that at no point during the arrest was his arm pulled or torqued forcefully (as shown in my BWC).

Joseph was released on PR bail by BC Hansen and given a court date of 09/09/2024 at 0815 hours at Milford District Court and was released at approximately 1730 hours.

On August 10th, 2024 at approximately 1550 I responded to Ofc Frederick's motor vehicle stop on Route 101 in the area of Walnut Hill Rd. He was advising that he had a car stopped that appeared to have a fake license plate attached to it.

I arrived and Ofc Frederick updated me with what he had. I stood by as Ofc Frederick got the male out of his vehicle. As he did so the male operator handed Ofc Frederick a piece of paper which he then handed to me. It appeared to be some sort of contract/fee schedule that is often used by Sovereign Citizens. I placed the piece of paper back in the vehicle.

Once out of the vehicle the male began to argue his position. I advised him he was under arrest and Ofc Frederick hand cuffed him.

I conducted the inventory of the vehicle and stood by for the tow truck. Dan's City towing arrived and towed the vehicle.

RECEIVED

AUG 13 2024

THE STATE OF NEW HAMPSHIRE

JUDICIAL BRANCH

<https://www.courts.nh.gov>

9. COURT - MILFORD

Court Name:

Milford District Court

Case Name:

JOSEPH EVERETT

Case Number:
(if known)

458-2024-CR-623

Charge ID
(if known)

BAIL ORDER

Police Dept:

AMHERST P.D.

Agency Case Number:

24-32563-AR

Date of Offense	Offense	Violation	Misd. A	Misd. B	Felony	Other
8-16-2024	UNOFFICIAL INSP/ Reg. decal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

You are required to appear for a hearing at:

Court Location:

Milford, NH

Court Address:

4 Meadowbrook Dr

Date of Hearing:

SEPT 9 2024

Time of Hearing:

8:15

☒ AM☐ PM

It is hereby ordered that the defendant shall:

☒ Be released on personal recognizance.☐ Be detained for not more than 72 hours to allow for filing of a probation violation.☐ Be released on \$ _____ ☐ cash or ☐ corporate surety bail.

The Court finds that this financial condition will not be the cause for continued detention, unless:

☐ a hearing to determine the source of funds for bail is required before posting bail, OR☐ the Court finds by *clear and convincing evidence* that no reasonable alternative or combination of conditions will:☐ Reasonably assure the appearance of the defendant; and/or☐ Reasonably assure that the defendant will not commit an offense while on release☐ Be placed in preventive detention pursuant to RSA 597:2, III(a) based on *clear and convincing evidence* that the defendant's release will endanger the safety of the defendant or of the public.

Case Name: Joseph Everett

Case Number: _____

BAIL ORDER**The Defendant is subject to the following additional conditions:**

Defendant shall not commit a federal, state, or local crime, must appear at all court proceedings as ordered, must advise the court in writing of all changes of address within 24 hours, and must comply with all civil domestic violence and stalking orders of protection.

1. ☐ Shall have no contact, direct or indirect, or through a third party with _____ and shall not come within _____ feet of where that person(s) may be.

If released, the defendant:

2. ☐ Shall not be at the following address/location: _____
3. ☐ Shall live at: _____
4. ☐ Shall not travel outside of New Hampshire.
5. ☐ Shall not possess a firearm, destructive device, dangerous weapon, or ammunition.
6. ☐ Shall refrain from ☐ excessive ☐ any use of alcohol, and use of any narcotic drug or controlled substance as defined in RSA 318-B.
7. ☐ Shall not drive until defendant's license/privilege is restored by Division of Motor Vehicles.
8. ☐ Shall follow all terms and conditions of probation and/or parole. The defendant shall report to probation no later than _____
9. ☐ Shall sign a Waiver of Extradition.
10. ☐ The Criminal Bail Protective Order issued on _____ remains in full force and effect.
11. ☒ Other: _____

So Ordered:Date 8-10-2024

\$40 Bail commissioner fee:

☐ paid ☐ payment arrangement made ☒ Unpaid

Robert L. Hansen Jr.
Signature of Judge / Bail Commissioner

Robert L. HANSEN Jr.
Printed Name of Judge / Bail Commissioner

For Court Use Only:☐ Approved as amended/modified☐ See Supplemental Bail Order

Date _____

Signature of Judge _____

Printed Name of Judge _____

Defendant Information:Name: JOSEPH EVERETTDOB: 8/21/72Physical address: 1 HARDY Rd #312 - Bedford, NH 03110

Mailing address (if different): _____

Cell phone #: 603 820-9632

Alt. phone #: _____

E-mail: _____

☒ I received a copy of "What You Need to Know"Date 8-10-2024

Joseph Everett
Signature of Defendant

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: 9th Circuit - District Division - Milford ☒
Case Name: State v. Joseph Everett
Case Number: 24-32563-AR
(if known)

**NOTICE OF INTENT TO SEEK
CLASS A MISDEMEANOR PENALTIES**

Notice is hereby given that the State, pursuant to RSA 625:9, IV(c)(2), intends to seek class A misdemeanor penalties against the above named Defendant upon conviction of the offense(s) listed below:

Disobeying an Officer, NH RSA 265:4

RECEIVED

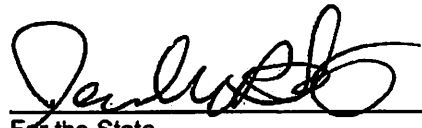
AUG 28 2024

9th CIRCUIT COURT - MILFORD

Penalties requiring the charging offense to be classified as a class A misdemeanor include any of the following:

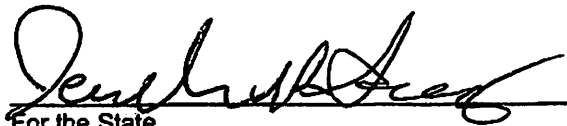
1. Imprisonment for any period, whether imposed, suspended or deferred;
2. A fine higher than \$1200 for any single offense;
3. Probation; and,
4. Home confinement for any period;

8-27-24
Date


For the State

I certify that on this date I provided a copy of this document to Defendant/Defendant Attorney at or before arraignment by: ☐ Hand-delivery OR ☒ US Mail OR ☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

8-27-24
Date


For the State

5

The State of New Hampshire

COMPLAINT

Case Number: 2024-623Charge ID: 2239472C

SIN# 00802002400032583003

<input type="checkbox"/> VIOLATION	MISDEMEANOR <input checked="" type="checkbox"/> CLASS A <input type="checkbox"/> CLASS B <input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY <input type="checkbox"/> CLASS A <input type="checkbox"/> CLASS B <input type="checkbox"/> SPECIAL <input type="checkbox"/> UNCLASSIFIED (non-person)

You are to appear at the: **9TH CIRCUIT - DISTRICT DIVISION - MILFORD** Court,Address: **4 MEADOWBROOK DR, MILFORD, NH**County: **HILLSBOROUGH**Time: **8:15 AM**Date: **09/09/2024**

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT : PLEASE PRINT

EVERETT		JOSEPH		L	
Last Name		First Name		Middle	
1 HARDY RD Apt. #312		BEDFORD		NH 03110	
Address		City		State Zip	
M	B	5 1 0	2 3 0	BROWN	UNKNOWN OR COMPLETELY BALD
Sex	Race	Height	Weight	Eye Color	Hair Color
08/21/72		NHL16751743		NH	
DOB		License #:		OP License State	
<input type="checkbox"/> COMM. VEH.		<input type="checkbox"/> COMM. DR. LIC.		<input type="checkbox"/> HAZ. MAT. <input type="checkbox"/> 16+PASSENGER	

AT: ROUTE 101, AMHERST NH

On 08/10/2024 at 3:49 PM in HILLSBOROUGH County NH, did commit the offense of:

RSA Name: Disobeying an Officer

Contrary to RSA: 265:4

Inchoate:

(Sentence Enhancer):

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:

did commit the crime of Disobeying a Police Officer in that he did drive a 2010 Mercedes ML350 upon a way, to wit, Route 101 in Amherst, and did purposely refuse to provide on demand to Officer Marc Frederick of the Amherst Police Department, his driver's license and vehicle registration in hand for the purpose of examination

RECEIVED

AUG 28 2024

9th CIRCUIT COURT - MILFORD

against the peace and dignity of the State.

☐ SERVED IN HAND

Patrolman MARC FREDERICK (24661)

Amherst PD

Complainant Signature

Complainant Printed Name

Complainant Dept.

Making a false statement on this complaint may result in criminal prosecution.

Oath below not required for police officers unless complaint charges class A misdemeanor or felony (RSA 592-A:7.1).

Personally appeared the above named complainant and made oath that the above complaint by him/her subscribed is, in his/her belief, true.

Date

Clerk of Court/Deputy Clerk/Justice of Peace/Notarial Officer

NHJB-2962-D (10/2/2023)

Case Number: 2024-623Charge ID: 2239472C

The State of New Hampshire COMPLAINT

Case Number: 2024-623Charge ID: 2239473C

SIN# 00602002400032563004

<input checked="" type="checkbox"/> VIOLATION	MISDEMEANOR	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL <input type="checkbox"/> UNCLASSIFIED (non-person)

You are to appear at the: **9TH CIRCUIT - DISTRICT DIVISION - MILFORD** Court,Address: **4 MEADOWBROOK DR , MILFORD, NH**County: **HILLSBOROUGH**Time: **8:15 AM**Date: **09/09/2024**

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT : PLEASE PRINT

EVERETT

JOSEPH

L

Last Name

First Name

Middle

1 HARDY RD Apt. #312

BEDFORD

NH

03110

Address

City

State

Zip

M

B

5 1 0

2 3 0

BROWN

UNKNOWN OR COMPLETELY BALD

Sex

Race

Height

Weight

Eye Color

Hair Color

08/21/72

NHL16751743

NH

DOB

License #:

OP License State

☐ COMM. VEH.☐ COMM. DR. LIC.☐ HAZ. MAT.☐ 16+PASSENGER

AT: ROUTE 101, AMHERST NH

On 08/10/2024 at 3:49 PM in HILLSBOROUGH County NH, did commit the offense of:

RSA Name: Unregistered Vehicle

Contrary to RSA: 261:40

Inchoate:

(Sentence Enhancer):

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:

while operating on a public way, to wit, Route 101 in Amherst, NH, did fail to have said vehicle, a 2010 Mercedes ML350, registered in accordance with the law


RECEIVED

AUG 28 2024

9th CIRCUIT COURT - MILFORD

against the peace and dignity of the State.

☐ SERVED IN HAND

Complainant Signature

Patrolman MARC FREDERICK (24661)

Amherst PD

Complainant Printed Name

Complainant Dept.

Making a false statement on this complaint may result in criminal prosecution.

Oath below not required for police officers unless complaint charges class A misdemeanor or felony (RSA 592-A:7.I).

Personally appeared the above named complainant and made oath that the above complaint by him/her subscribed is, in his/her belief, true.

Date

Clerk of Court/Deputy Clerk/Justice of Peace/Notarial Officer

NHJB-2982-D (10/2/2023)

Case Number: 2024-623Charge ID: 2239473C

The State of New Hampshire

COMPLAINT

Case Number: 2024-623
458Charge ID: 2239474C

SIN# 00802002400032563005

<input checked="" type="checkbox"/> VIOLATION	MISDEMEANOR	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL
<input type="checkbox"/> UNCLASSIFIED (non-person)				

You are to appear at the: **9TH CIRCUIT - DISTRICT DIVISION - MILFORD** Court,Address: **4 MEADOWBROOK DR , MILFORD, NH**County: **HILLSBOROUGH**Time: **8:15 AM**Date: **09/09/2024**

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT : PLEASE PRINT

EVERETT		JOSEPH		L	
Last Name		First Name		Middle	
1 HARDY RD Apt. #312		BEDFORD		NH 03110	
Address		City		State Zip	
M	B	5 1 0	2 3 0	BROWN	UNKNOWN OR COMPLETEDLY BALD
Sex	Race	Height	Weight	Eye Color	Hair Color
08/21/72		NHL16751743		NH	
DOB		License #:		OP License State	
<input type="checkbox"/> COMM. VEH.		<input type="checkbox"/> COMM. DR. LIC.		<input type="checkbox"/> HAZ. MAT. <input type="checkbox"/> 16+PASSENGER	

AT: ROUTE 101, AMHERST NH

On 08/10/2024 at 3:49 PM in HILLSBOROUGH County NH, did commit the offense of:

RSA Name: Failure to Display Plates

Contrary to RSA: 261:176

Inchoate:

(Sentence Enhancer):

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:

did knowingly fail to display on a vehicle, to wit, a 2010 Mercedes ML350, while operating on a public way, the registration number issued by the NH Division of Motor Vehicles

N. G. **RECEIVED**
AUG 28 2024
9/9/24
9th CIRCUIT COURT - MILFORD

against the peace and dignity of the State.

☐ SERVED IN HAND

	Patrolman MARC FREDERICK (24661)	Amherst PD
Complainant Signature	Complainant Printed Name	Complainant Dept.

Making a false statement on this complaint may result in criminal prosecution.

Oath below not required for police officers unless complaint charges class A misdemeanor or felony (RSA 592-A:7.I).

Personally appeared the above named complainant and made oath that the above complaint by him/her subscribed is, in his/her belief, true.

Date

NHJB-2962-D (10/2/2023)

Clerk of Court/Deputy Clerk/Justice of Peace/Notarial Officer

Case Number: 2024-623
Charge ID: 2239474C

9th Circuit - Family Division -
Milford
4 Meadowbrook Drive
Milford NH 03055
1-855-212-1234

NH CIRCUIT COURT
9th Circuit Court - Milford
4 Meadowbrook Drive
Milford, NH 03055

JOSEPH L EVERETT
1 HARDY RD, UNIT # 312
BEDFORD NH 03110



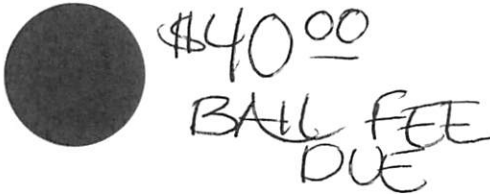
THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

9th Circuit - District Division - Milford
 4 Meadowbrook Drive
 Milford NH 03055

Telephone: 1-855-212-1234
 TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

NOTICE OF HEARING

FILE COPY



Case Name: **State v. JOSEPH L EVERETT**
 Case Number: **458-2024-CR-00623**

The above referenced case(s) has/have been scheduled for:

Trial

Date of Offense:	Description:	Charge ID:	Statute:
08/10/2024	Disobeying an Officer	2239472C	265:4
08/10/2024	Unregistered Vehicle	2239473C	261:40
08/10/2024	Failure to Display Plates	2239474C	261:176

Date: April 07, 2025 **4 Meadowbrook Drive**
Time: 2:30 PM **Milford NH 03055**
Time Allotted: 1 Hour 30
Minutes

If you are unable to appear at this scheduled hearing, you must request a continuance from the Court in writing at least 10 days in advance of the hearing date. You must also send a copy of the request to the opposing party, unless restricted from doing so. Motions to continue filed fewer than 10 days in advance of hearing will only be granted if the Court finds that an emergency or exceptional circumstance exists. You must appear on the scheduled date unless you receive notification from the Court that a request to continue the hearing has been granted. **FAILURE TO APPEAR OR PROPERLY OBTAIN A CONTINUANCE FROM THE COURT MAY RESULT IN AN ORDER FOR YOUR ARREST.**

When a person pleads guilty/nolo or is convicted after trial, the court expects all fines imposed to be paid in full on the date of the hearing.

NOTICE OF APPELLATE RIGHTS

A person convicted of a violation level offense or a class B misdemeanor has the right to appeal the decision of the District Division by filing an appeal with the New Hampshire Supreme Court. This appeal is only on questions of law which means that the Supreme Court will not consider questions of fact already decided by the District Division. With limited exceptions, the person convicted has 30 days from the date of sentencing to file an appeal with the Supreme Court.

A person convicted of a class A misdemeanor has the right to appeal the decision of the District Division to the Superior Court and to have a trial by jury. The person convicted must notify the District Division of the intent to appeal within 72 hours of sentencing.

If you will need an interpreter or other accommodations for this hearing, please contact the court immediately. Please be advised (and/or advise clients, witnesses, and others) that it is a Class B felony to carry a firearm or other deadly weapon as defined in RSA 625:11, V in a courtroom or area used by a court.

February 19, 2025

Coreen L. Russell
 Clerk of Court

C: Amherst Police Department; JOSEPH L EVERETT

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT**

9th Circuit - District Division - Milford
4 Meadowbrook Drive
Milford NH 03055

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

March 07, 2025

FILE COPY

Case Name: **State v. JOSEPH L EVERETT**
Case Number: **458-2024-CR-00623**

*Sent
entire
file
3/12/25*

To Mr. Everett,

The cost of copying the entire file is \$39.00. Once the Court has received payment, copies will be made of the file.

Thank you,

Coreen L. Russell
Clerk of Court

(371)

C: JOSEPH L EVERETT

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

RECEIVED
MAR 04 2025
9th CIRCUIT - MILFORD

Court Name: 9th Circuit - District Division - Milford

Case Name: Joseph L Everett

Case Number: 458-2024-CR-00623
(if known)

MOTION: Request for Copies of Entire file

I, Joseph Everett

state the following facts and request the following relief:

To Review for preparations

Date 3/1/25

Telephone _____

Joseph L Everett
Signature

60 Hardy Rd unit 312, Bedford, NH 03110
Address

I certify that on this date I provided a copy of this document to _____ (other party) or to
_____ (other party's attorney) by: ☐ Hand-delivery OR ☐ US Mail OR
☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date _____

Signature _____

ORDER

☐ Motion granted.

☐ Motion denied.

Recommended:

Date _____

Signature of Marital Master/Referee _____

Printed Name of Marital Master/Referee _____

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

Date _____

Signature of Judge _____

Printed Name of Judge _____

Clear Form

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

2/10

Court Name: 9th Circuit - District Division - Milford**RECEIVED**Case Name: State v. JOSEPH L EVERETT

JAN 27 2025

Case Number: 458-2024-CR-00623
(if known)**MOTION: FOR CONTINUANCE**9th CIRCUIT – MILFORDI, Joseph-Lamond; Everett

state the following facts and request the following relief:

This motion request of continuance of trial date Feb 10th 2025. Please find the attached supporting document in reference of this request.

1/22/2025

Date

603-820-9632

Telephone

Joseph-Lamond; Everett

Signature

% 1 Hardy Rd unit 312, Bedford, NH 03110

Address

I certify that on this date I provided a copy of this document to Amherst Police Department (other party) or to _____ (other party's attorney) by: ☐ Hand-delivery OR ☒ US Mail OR

☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

Signature

ORDER☐ Motion granted.☐ Motion denied.**Recommended:**

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

Date

Signature of Judge

Printed Name of Judge

Certified Mail #7022 2410 0002 4655 6055

STATE OF NEW HAMPSHIRE
9th Circuit Court – District Division – Milford

RECEIVED

Case No.: 458-2024-CR-00623

JAN 27 2025

Defendant: JOSEPH L. EVERETT

9th CIRCUIT – MILFORD

MOTION FOR CONTINUANCE

NOW COMES the Defendant, Joseph L. Everett**, by and through himself, and respectfully moves this Honorable Court to grant a continuance of the trial currently scheduled for **February 10, 2025**, in the above-referenced matter. In support of this motion, the Defendant states as follows:

1. Out of State Contractual Obligation:

The Defendant has an out-of-state contractual work obligation, which requires his presence and will prevent him from attending the trial scheduled for **February 10, 2025**. The Defendant's contractual duties are significant and cannot be rescheduled or delegated.

2. Retaining Counsel:

The Defendant is actively seeking legal counsel to represent him in this matter. Due to financial constraints, he is currently raising the necessary funds to retain appropriate counsel. The Defendant wishes to ensure that he has sufficient time to properly prepare his defense with the assistance of legal counsel.

3. Adequate Preparation:

The Defendant believes that a continuance of at least **six months** will provide him with the necessary time to secure counsel, arrange for the proper preparation of his defense, and fulfill his contractual obligations. This additional time will ensure that his defense is adequately prepared and that he has proper representation at trial.

4. No Prejudice:

A continuance of **six months** will not prejudice the prosecution, as this motion is made in good faith and not for purposes of delay. The Defendant is committed to resolving this matter in a fair and timely manner with competent legal representation.

WHEREFORE, the Defendant, Joseph L. Everett, respectfully requests that this Court grant a continuance of the trial scheduled for **February 10, 2025**, and reschedule the trial to a date at least **six months** from the current trial date to allow the Defendant sufficient time to retain counsel and prepare his defense.

January 22, 2025

Respectfully submitted,

Joseph L. Everett
Joseph L. Everett
Defendant

1 Hardy Rd Unit 312
Bedford, NH 03110

Email: mindevolution@proton.me

Phone: 603-820-9632

GRANTED, IN-PART.

Todd H. Prevett
Todd H. Prevett

Reschedule in about 90 days as the docket allows.

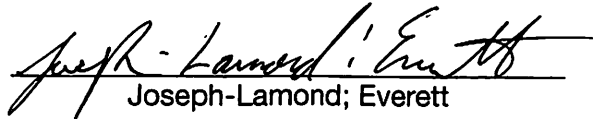
FEB 06 2025

Certified Mail #7022 2410 0002 4655 6055

Certificate of Service

I hereby certify that a copy of the foregoing Motion for Continuance has been sent to the Office of the District Attorney, 175 Amherst Street, Amherst, NH 03031, by US mail.

January 22, 2025


Joseph-Lamond; Everett

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT**

9th Circuit - District Division - Milford
4 Meadowbrook Drive
Milford NH 03055

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

NOTICE OF HEARING

FILE COPY

Case Name: **State v. JOSEPH L EVERETT**
Case Number: **458-2024-CR-00623**

The above referenced case(s) has/have been scheduled for:

Trial

Date of Offense:	Description:	Charge ID:	Statute:
08/10/2024	Disobeying an Officer	2239472C	265:4
08/10/2024	Unregistered Vehicle	2239473C	261:40
08/10/2024	Failure to Display Plates	2239474C	261:176

Date: February 10, 2025 **4 Meadowbrook Drive**
Time: 2:30 PM **Milford NH 03055**
Time Allotted: 1 Hour 30
Minutes

If you are unable to appear at this scheduled hearing, you must request a continuance from the Court in writing at least 10 days in advance of the hearing date. You must also send a copy of the request to the opposing party, unless restricted from doing so. Motions to continue filed fewer than 10 days in advance of hearing will only be granted if the Court finds that an emergency or exceptional circumstance exists. You must appear on the scheduled date unless you receive notification from the Court that a request to continue the hearing has been granted. **FAILURE TO APPEAR OR PROPERLY OBTAIN A CONTINUANCE FROM THE COURT MAY RESULT IN AN ORDER FOR YOUR ARREST.**

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NOTICE OF APPELLATE RIGHTS

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A person convicted of a class A misdemeanor has the right to appeal the decision of the District Division to the Superior Court and to have a trial by jury. The person convicted must notify the District Division of the intent to appeal within 72 hours of sentencing.

If you will need an interpreter or other accommodations for this hearing, please contact the court immediately. Please be advised (and/or advise clients, witnesses, and others) that it is a Class B felony to carry a firearm or other deadly weapon as defined in RSA 625:11, V in a courtroom or area used by a court.

November 21, 2024

Coreen L. Russell
Clerk of Court

C: Amherst Police Department; JOSEPH L EVERETT

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT**

9th Circuit - District Division - Milford
4 Meadowbrook Drive
Milford NH 03055

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

NOTICE OF DECISION

FILE COPY

Case Name: **State v. JOSEPH L EVERETT**
Case Number: **458-2024-CR-00623**

Enclosed please find a copy of the Court's Order dated October 28, 2024 relative to:

Motion: Notice of Appearance under T.D.C - Denied

Motion for Order of Remand- Denied

Petition for Injunctive Relief- Denied.

So ordered,

Judge Todd H Prevett

October 28, 2024

Coreen L. Russell
Clerk of Court

(371)

C: JOSEPH L EVERETT; Amherst Police Department

Clear Form

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

RECEIVED

Court Name: 9th Circuit - District Division - MilfordCase Name: State v. JOSEPH L EVERETT

OCT 24 2024

Case Number: 458-2024-CR-00623
(if known)9th CIRCUIT COURT - MILFORD**MOTION: NOTICE OF APPEARANCE UNDER T.D.C.**I, Joseph-Lamond; Everett

state the following facts and request the following relief:

This Notice of Appearance under threat, distress and Coercion is hereby entered with the clerk of court
the defendant will be appearing (pro se) please refer to the attached document.

10/17/24
 Date

Joseph-Lamond; Everett
 Signature

461 Hardy Rd unit 312, Bedford, NH 03110
 Address

Telephone

I certify that on this date I provided a copy of this document to Amherst Police Dept. (other party) or to
 (other party's attorney) by: ☒ Hand-delivery OR ☒ US Mail OR
☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

By: Joseph-Lamond; Everett
 Signature
ORDER☐ Motion granted.☒ Motion denied.

Recommended:

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial
 referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts
 determined by the marital master/judicial referee/hearing officer.

OCT 28 2024

Date

Signature of Judge

Todd H. Prevett

Printed Name of Judge

#13

**STATE OF NEW HAMPSHIRE
NH CIRCUIT COURT
9th CIRCUIT - DISTRICT DIVISION - MILFORD**

Case Number: 458-2024-CV-00623

**State of New Hampshire
Amherst Police Department
175 Amherst Street
Amherst, NH 03031**

v.

**JOSEPH L EVERETT
Joseph-Lamond: Everett
c/o 1 Hardy Rd, Unit 312
Bedford, NH 03110
Email: mindevolution@proton.me
Phone: 603-820-9632**

RECEIVED

OCT 24 2024

9th CIRCUIT COURT - MILFORD

NOTICE OF APPEARANCE UNDER THREAT, DISTRESS, AND COERCION

To the Clerk of the Court and all parties of record:

Please take notice that I, Joseph-Lamond: Everett, hereby enter my special appearance in the above-captioned matter under threat, distress, and coercion. I am representing myself (pro se) in this matter.

CERTIFICATION

I certify that a copy of this Notice of Appearance has been sent to the opposing party, the Amherst Police Department, at the address listed above.

Dated: 10/17/2024

Respectfully submitted,
Joseph-Lamond: Everett
**Joseph-Lamond: Everett
c/o 1 Hardy Rd, Unit 312
Bedford, NH 03110
Email: mindevolution@proton.me
Phone: 603-820-9632**

1000
Clear Form

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

RECEIVEDCourt Name: 9th Circuit - District Division - MilfordCase Name: State v. JOSEPH L EVERETT

OCT 24 2024

Case Number: 458-2024-CR-00623
(if known)

9th CIRCUIT COURT - MILFORD

MOTION: FOR ORDER OF REMANDI, Joseph-Lamond; Everett

state the following facts and request the following relief:

Petitioner hereby directs the court to remand this case to the court having original jurisdiction, in
accordance with the Constitution for the United States of America for lawful adjudication of the matter.
Please refer to the attached document.

10/17/24

Date

603-820-9632

Telephone

Joseph-Lamond; Everett

Signature

60 Hardy Rd Unit 312 Bedford, NH 03110

Address

I certify that on this date I provided a copy of this document to Amherst Police Dept (other party) or to
 (other party's attorney) by: ☒ Hand-delivery OR ☐ US Mail OR
☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

By: Joseph-Lamond; Everett

Signature

ORDER☐ Motion granted.☒ Motion denied.

Recommended:

as Defendant's constitutional
arguments are unclear + insufficiently
developed.

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial
 referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts
 determined by the marital master/judicial referee/hearing officer.

Date

OCT 28 2024

Signature of Judge

Todd H. Prevett

Printed Name of Judge

#12

**NH CIRCUIT DISTRICT COURT
9TH CIRCUIT-DISTRICT DIVISION-MILFORD**

Case No. 458-2024-CV-00623

RECEIVED

OCT 24 2024

9th CIRCUIT COURT - MILFORD

**NH State of
Plaintiff,**

v.

**Joseph L. Everett,
Defendant,
c/o 1 Hardy Rd Unit 312,
Bedford, NH 03110.**

ORDER OF REMAND memorandum

This matter comes before the Court on the issue of jurisdiction. Upon review, it has been determined that this Court does not have original jurisdiction over the case. Pursuant to Article III, Section 2 of the United States Constitution, which outlines the judicial power of the United States, it is noted that the State is a party in this cause.

Therefore, it is hereby ORDERED that this case is REMANDED to the appropriate court that has original jurisdiction over the matter.

SO ORDERED

Date: 10/17/2024

**Todd H Prevett
Honorable Judge**

**9th Circuit-District Division-Milford, Office of the Clerk,
4 Meadowbrook Drive
Milford, NH 03550**

**NH State of, Amherst Police Department,
P.O. Box 703,
Amherst, NH 03031.**

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion has been forwarded this day to the opposing party,
the Amherst Police Department, at the address above.

By: Joseph-Lamond' Everett

Joseph-L: Everett

Clear Form

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

RECEIVEDCourt Name: 9th Circuit - District Division - MilfordOCT 24 2024Case Name: State v. JOSEPH L EVERETT9th CIRCUIT COURT - MILFORDCase Number: 458-2024-CR-00623
(if known)**MOTION: PETITION FOR INJUNCTIVE RELIEF**I, Joseph-Lamond; Everett

state the following facts and request the following relief:

Petitioner hereby request for Injunctive Relief of this case to the court, in accordance with the
Constitution for the United States of America in accordance to Article III Section 2, Title 28, Section
455, and Civil Rule 60(b)(4) Please refer to the attached document

10/17/24

Date

603-820-9632

Telephone

Joseph-Lamond; Everett

Signature

61 Hardy Rd unit 312, Bedford, NH 03110

Address

I certify that on this date I provided a copy of this document to _____ (other party) or to
 _____ (other party's attorney) by: ☒ Hand-delivery OR ☐ US Mail OR

☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

Signature

ORDER☐ Motion granted.☒ Motion denied.

Recommended:

as defendant's citations to 28 USC. S. 455 + FRCP 60 are inapplicable

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

OCT 28 2024

Date

Signature of Judge

Todd H. Prevett

Printed Name of Judge

#11

**NH CIRCUIT DISTRICT COURT
9TH CIRCUIT-DISTRICT DIVISION-MILFORD**

Case No. 458-2024-CV-00623

RECEIVED

OCT 24 2024

9th CIRCUIT COURT - MILFORD

**State of,
Plaintiff,**

v.

**Joseph-Lamond; Everett,
Defendant,
% 1 Hardy Rd unit 312
Bedford, NH 03110
mindevolution@proton.me
603-820-9632**

10/17/24

Honorable Judge Todd H Prevett

**9th Circuit District Court Milford
4 Meadowbrook Drive
Milford, NH 03055**

Re: Request for Injunctive Relief memorandum.(ed)

Dear Honorable Judge Todd H Prevett

I am writing to formally request injunctive relief in accordance with the provisions set forth in Article III, Section 2 of the U.S. Constitution, Title 28, Section 455, and Civil Rule 60(b)(4).

Article III, Section 2 of the U.S. Constitution states:

"The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State, — between Citizens of different States, — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects."¹

Title 28, Section 455 of the U.S. Code provides:

"Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."²

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, S.S.
COURT

MILFORD DISTRICT

RECEIVED

STATE OF NEW HAMPSHIRE

SEP 13 2024

vs.

JOSEPH L. EVERETT

9th CIRCUIT COURT - MILFORD

458-2024-CR-00623

STATE'S RESPONSE TO DEFENDANT'S VARIOUS MOTIONS

NOW COMES the State of New Hampshire, in the above-captioned matter, by and through the Amherst Police Department and files this State's Response to Defendant's Various Motions. In support thereof, states as follows:

1. The Defendant served the State on September 5, 2024, with two motions assumably filed with this Court. The first under the caption of Motion: To Petition for Original Jurisdiction. The second under the caption of Motion: For Dismissal. While neither were filed stamped by the Court, but the State understands were filed nearly contemporaneously.
2. On September 9th, 2024, the Defendant appeared before this Court for arraignment. At the time of his arraignment, the Defendant hand delivered to the State a document under the caption of Demand for Judicial Notice of Rule Nisi, bearing a file stamp of that same date.
3. The motions are contradictory in both claiming that the Court does and does not have jurisdiction in this matter. They also fail to cite any relevant or binding caselaw, state or federal constitutional provision, rule or statute in support of the conclusions contained therein.
4. Concerning this Court jurisdiction in this matter, the New Hampshire Constitution Pt. 2, Art. 4, titled "Power of General Court to Establish Courts", provides:

"The general court (except as otherwise provided by Article 72 a of Part 2) shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to beholden, in the name of the state, for the hearing, trying, and determining, all manner of crimes, offenses, pleas, processes, complaints, action, causes, matters and things whatsoever arising or happening within this state, or between or concerning persons inhabiting or residing, or brought, within the same, whether the same be criminal or civil, or whether the crimes be capital, or not capital, and whether the said pleas be real, personal or mixed, and for the

awarding and issuing execution thereon. To which courts and judicatories, are hereby given and granted, full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy, or depending before them.”

5. The New Hampshire Constitution Pt. 2, Art. 72-a, titled “Supreme and Superior Courts”, provides:

“The judicial power of the state shall be vested in the supreme court, a trial court of general jurisdiction known as the superior court, and such lower courts as the legislature may establish under Article 4th of Part 2.”

6. N.H. RSA 592-A:6 titled “Powers of District and Municipal Courts” provides:

“District and municipal courts have the powers of a justice of the peace and quorum throughout the state and have jurisdiction as provided in RSA 502-A:11 and 14 and RSA 502:18.”

7. N.H. RSA 502-A:11 titled “Criminal Cases; District Courts” provides the following for the jurisdictional powers of the District Courts:

“Each district court shall have the powers of a justice of the peace and quorum throughout the state and shall have original jurisdiction, subject to appeal, of all crimes and offenses committed within the confines of the district in which such court is located which are punishable by a fine not exceeding \$2,000 or imprisonment not exceeding one year, or both, including all violations of the provisions of RSA 266:16 and RSA 266:25 pertaining to vehicles exceeding permitted size or weight, regardless of whether the defendant is a natural person or any other person.”

8. N.H. RSA 502-A:1 titled “Judicial Districts” provides for the specific creation of the Judicial Districts of the District Courts, specifically:

“XIX. MILFORD DISTRICT. The Milford district shall consist of the towns of Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon. The district court for the district shall be located in Milford, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Milford District Court.”

9. All of the alleged offences in this matter are alleged to have involved the Defendant operating a motor vehicle on public way, Route 101, in Amherst N.H., in violation of New Hampshire State Statutes, and if

convicted thereof, would constitute violations or misdemeanors within this Court jurisdictional limits.

10. The remainder of the Defendant's assertions appear to revolve around the notion that the Defendant is beyond the jurisdiction of this Court due to his claimed status as a not a "person", but a "Private American National" or a "real living man".

11. The Defendant's assertions appear most akin to the so-called sovereign citizen movement. Although the State was unable to locate any specific guidance from the New Hampshire Courts on this issue, the Federal Courts routinely reject such arguments as frivolous:

"We have repeatedly rejected their theories of individual sovereignty, immunity from prosecution, and their ilk." *US v. Benabe*, 654 F. 3d 753, 767, Court of Appeals (7th Cir.2011) (citing *United States v. Burke*, 425 F.3d 400, 408 (7th Cir.2005); *United States v. Hilgeford*, 7 F.3d 1340, 1342 (7th Cir. 1993) (rejecting the "shop worn" argument that a defendant is a sovereign and is beyond the jurisdiction bounds of the district court); *United States v. Sloan*, 939 F.2d 499, 500-01 (7th Cir.1991); *United States v. Schneider*, 910 F.2d 1569, 1570 (7th Cir.1990) (describing defendant's proposed "sovereign citizen" defense as having "no conceivable validity in American law"); *United States v. Phillips*, 326 Fed. Appx. 400 (7th Cir.2009) (dismissing jurisdiction arguments as frivolous because federal courts have subject matter and personal jurisdiction over defendants brought before them on federal indictments alleging violations of federal law). *See also United States v. Schofield*, Dist. Court, D. Rhode Island 2021

WHEREFORE, the State respectfully requests that this Honorable Court DENY the Defendant's Various Motions, and/or grant such further relief as this Court deems just and proper.

Respectfully submitted,



Jeremiah N.R. Sandburg, #278313

Prosecuting Attorney

Amherst Police Department

175 Amherst Street

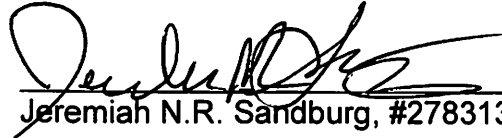
Amherst, New Hampshire

Tel: (603) 673-4900

Dated: September 13, 2024

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion has been forwarded this day to Joseph L. Everett.



Jeremiah N.R. Sandburg, #278313

9th Circuit Court of Milford, New Hampshire
Case No.: 458-2024-CR-00623

RECEIVED

SEP 09 2024

Demand for Judicial Notice of Rule Nisi

9th CIRCUIT COURT - MILFORD

Date: September 9, 2024

Time: 08:15 (Military Time)

Defendant: JOSEPH L. EVERETT

Address: c/o 1 Hardy Rd, Unit 312, Bedford, NH 03110

Email: mindevolution@proton.me

Phone Number: 603-820-9632

To the Honorable Judge of the 9th Circuit Court of Milford, New Hampshire:

Notice is hereby given on 9th day of September 2024 at 8:15 am or soon thereafter, as the matter can be heard in the Milford District Court in one of its courtrooms. JOSEPH L. EVERETT, respectfully requests that this Court take judicial notice of Rule Nisi in the above-captioned matter.

Background:

1. **Nature of the Case:** Traffic stop
2. **Relevant Facts:** Defendant has the right to travel, The private property was in use for personal, family, household, and not for hire. At the time of stop there was no claim, or warrant to constitute an arrest. The defendant is not a "Person" legal entity, nor was involved in commercial activity, and is not an alien.

Legal Basis:

This court, being part of the Nisi Prius court system, must follow Rule Nisi, which states that a rule will become imperative and final unless cause is shown against it. Since this court can require compelled performance, which is only allowed in a court enforcing some type of

contract, it is established law that all contracts are either in equity or admiralty for enforcement purposes.

Based on the foregoing, this court must take judicial notice that it is merely enforcing some type of contract that would allow Rule Nisi to apply. Therefore, the court should dismiss this matter if the prosecution does not produce the contract or prove with admissible evidence that the accused was involved in the activity being regulated. Admissible evidence that invokes the court's authority is required; hearsay or presumptions will not be permitted. Since this is a criminal trial, the accused justly demands due process secured to him by the state constitution.

Request:

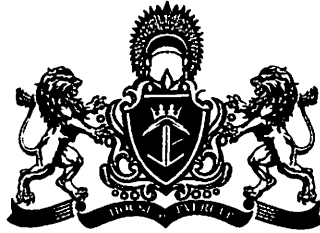
The Defendant respectfully requests that the Court:

1. Take judicial notice of Rule Nisi.
2. Provide any other relief that the Court deems just and proper.

Respectfully submitted,
Joseph-Lamond Everett
Joseph Lamond Everett
c/o 1 Hardy Rd, Unit 312
Bedford, NH 03110
Email: mindevolution@proton.me
Phone: 603-820-9632

*For the reasons succinctly stated
in the state's objection, motion
is respectfully DENIED.*

Todd H. Prevett
Todd H. Prevett
SEP 23 2024



RECEIVED
SEP 06 2024
9th CIRCUIT COURT - MILFORD

*****STATE OF NEW HAMPSHIRE****

*****9th CIRCUIT COURT - DISTRICT DIVISION - MILFORD****

*****State of New Hampshire,****

*****v.****

Joseph L. Everett**

*****Case No.** 458-2024-CR-00623**

*****PETITION FOR ORIGINAL JURISDICTION****

*****NOW COMES**** the Defendant, Joseph L. Everett, by and through his Agent, and respectfully petitions this Honorable Court for original jurisdiction pursuant to New Hampshire Rule 11. In support of this petition, the Defendant states as follows:

1. *****Lack of Compliance with New Hampshire Rule 7:**** The State has failed to comply with the requirements set forth in New Hampshire Rule 7, which necessitates a clear and concise statement of the claim. The lack of such a statement undermines the validity of the proceedings against the Defendant.
2. *****Absence of a Valid Claim:**** The State has not provided a valid claim, as required by law. The absence of a legitimate claim renders the charges against the Defendant baseless and without merit.
3. *****Grounds for Rule 803(10):**** The State's failure to provide a valid claim also impacts the applicability of Rule 803(10), which pertains to the absence of a public

Handwritten signature/initials

record or entry. The lack of a valid claim means there is no basis for the application of this rule.

4. *****Violation of New Hampshire Rule 38:**** The proceedings against the Defendant violate New Hampshire Rule 38, which ensures the right to a fair and impartial trial. The deficiencies in the State's case compromise the Defendant's right to due process.
5. *****Non-Compliance with New Hampshire Rule 34:**** The State has not adhered to the requirements of New Hampshire Rule 34, which governs the procedures for pretrial motions. The failure to comply with these procedures further prejudices the Defendant's case.

*****WHEREFORE****, the Defendant respectfully requests that this Honorable Court:

- A. Assume original jurisdiction over this matter pursuant to New Hampshire Rule 11;
- B. Dismiss the Plaintiff's complaint with prejudice;
- C. Dismiss the charges against the Defendant due to the State's failure to comply with New Hampshire Rule 7 and the lack of a valid claim;
- D. Grant any other relief that this Court deems just and proper.

*****Respectfully submitted,****

Dylis Joseph-Lamond; Everett
/s/Joseph-Lamond: Everett

% 1 Hardy Rd unit 312

Bedford, NH 03110

603-820-9632

mindevolution@proton.me

*****Dated:** 8/30/24**

*Respectfully DENIED
based on unclear citation
to "New Hampshire Rules"
and other unclear + underdeveloped
constitutional arguments*

Todd H. Prevett

Todd H. Prevett

SEP 23 2024

RECEIVED
SEP 06 2024
9th CIRCUIT COURT - MILFORD

Joseph-Lamond; Everett
% 1 Hardy Rd unit 312
Bedford, NH 03110
mindevolution@proton.me
603-820-9632
Date: 9/6/24

RECEIVED
SEP 06 2024
9th CIRCUIT COURT - MILFORD

Clerk of Court
9th Circuit – District Division – Milford
4 Meadowbrook Drive
Milford, NH 03055

Re: State v. JOSEPH L EVERETT
Case Number: 458-2024-CR-00623

Dear Clerk of Court,

I am writing to inform the court that Joseph Lamond Everett will only recognize the judge in their ministerial capacity in the above-referenced case.

Please ensure that this notice is included in the case file and brought to the attention of the presiding judge.

Thank you for your attention to this matter.

Sincerely,

By: Joseph-Lamond: Everett

Joseph-Lamond; Everett

Clear Form

THE STATE OF NEW HAMPSHIRE JUDICIAL BRANCH

http://www.courts.state.nh.us

Court Name: 9th Circuit - District Division - MilfordCase Name: State v. JOSEPH L EVERETTCase Number: 458-2024-CR-00623
(if known)

RECEIVED

SEP 04 2024

9th CIRCUIT COURT - MILFORD

MOTION: FOR DISMISSALI, Joseph-Lamond; Everett

state the following facts and request the following relief:

This motion to dismiss is supported by the attached supporting documents you will find my claim(s)
with supporting evidence please addmit them into the case for the record. For the assigned Judicial
judge review.

Affidavits are previous notice's serviced to all agencies. For
Support of evidence

Date

Signature

Telephone

Address

I certify that on this date I provided a copy of this document to _____ (other party) or to
_____ (other party's attorney) by: ☐ Hand-delivery OR ☒ US Mail OR
☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

Signature

ORDER

☐ Motion granted.☒ Motion denied.

Recommended:

for the reasons, succinctly
stated in the States objection.

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial
referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts
determined by the marital master/judicial referee/hearing officer

SEP 23 2024

Date

Signature of Judge

Todd H. Prevett
Printed Name of Judge

**STATE OF NEW HAMPSHIRE
MILFORD DISTRICT COURT**

**State,
Plaintiff,**

v.

**JOSEPH L EVERETT,
Defendant.**

Case No.: 458-2024-CR-00623

MOTION TO DISMISS

NOW COMES the Defendant, Joseph-L; Everett, and respectfully moves this Honorable Court to dismiss the above-captioned matter pursuant to Rule (11) of the New Hampshire Rules of Civil Procedure. In support of this motion, the Defendant states as follows:

1. **Lack of Jurisdiction:** The Court lacks personal jurisdiction over the Defendant because the Defendant is not a U.S. Citizen but a Private American National. The Defendant's status as a Private American National and the All Caps principal being a foreign entity precludes the Court's jurisdiction.
2. **Failure to State a Claim:** The Plaintiff's complaint fails to state a claim upon which relief can be granted. Specifically:
 - o The Defendant has a right to travel while traveling in private property.
 - o The Defendant has performed his administrative duties of owner withdrawal from the program as per 28 CFR Section 29.10, notifying all agencies, removing the plates and decals. An agent from the Department of Motor Vehicles confirmed the removal of the Defendant's photo and signature from their system.

- o The complaint does not meet the legal requirements for a valid claim due to a warrantless arrest and lack of any claim from a witness outside of the arresting officer that would grant such warrant for the arrest.
- o Violation of Title 18 USC Sections 241 and 242 Conspiracy to Deprive of Rights and Deprivation of Rights under Color of Law
- o **Improper Service of Process:** The Plaintiff failed to properly serve the Defendant in accordance with the New Hampshire Rules of Civil Procedure. The improper service invalidates the proceedings against the Defendant.

Supporting Laws and Supreme Court Rulings:

- **Thompson v. Smith**, 154 SE 579 (1930): Right to travel.
- **Sherer v. Cullen**, 481 F.2d 946 (1973): Due process rights.
- **Cruden v. Neale**, 2 N.C. 338 (1796): Sovereign rights.
- **Clearfield Doctrine:** Federal jurisdiction over commercial paper.

WHEREFORE, the Defendant respectfully requests that this Honorable Court:

Dismiss the Plaintiff's complaint with prejudice;

B. Award the Defendant costs and attorney's fees incurred in defending against this action; and

C. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

By/s/ Joseph-Lamond; Everett

Joseph-Lamond; Everett

% 1 Hardy Rd unit 312

Bedford, NH 03110

mindevolution@proton.me

603-820-9632

Date: 8/30/24

**AFFIDAVIT
OF
REVOCATION, RESCISSION AND SURRENDER
OF SIGNATURE FOR GOOD CAUSE**

Introductory Certification

The Affiant; Everett: Joseph having full first-hand knowledge of the facts stated herein, and making this Affidavit of his own free Will, does affirm that the facts stated herein are true, correct, certain, and complete to the best of his knowledge. Affiant further states:

Plain Statement of Facts

1. THAT, Affiant affixed his signature to documents on or about **August 21, 1997**, without knowledge of the complete contract and all terms of that contract as well as the fraud that was being perpetrated upon him in that contract.
2. THAT, Affiant was actually misled and coerced into signing the aforementioned documents, without knowledge of the fraud that was being perpetrated upon him.
3. THAT, Affiant, aware of the fact that fraud vitiates all contracts, agreements, and documents, believes the contract with (to whom it may concern) is void and nonexistent.
4. THAT, Affiant revokes, rescinds, and surrender all signatures for good cause, and "Without Recourse to Me" pursuant to (UCC 1 415; 1-308)
5. THAT, Affiant has, by this Affidavit, formally and timely removed the aforementioned signature(s) for all time and thereby removes any nexus, actual or presumed, that (to whom it may concern) may believe it has with Affiant by virtue of said signature(s) and or contract(s).

KNOW ALL MEN AND WOMEN BY THESE PRESENTS, that I, Everett: Joseph, one of the people of NEW HAMPSHIRE and the united states of America, on this day, according to the common law, and upon my oath / affirmation and states as ADMINISTRATIVE NOTICE:

I, Joseph L. Everett, one of the people of NEW HAMPSHIRE, learned that a driver's license from the STATE OF NEW HAMPSHIRE automatically canceled my organic and inalienable rights. I do not operate a vehicle on the public highways for commercial purposes. When I obtained a driver's license from the STATE OF NEW HAMPSHIRE, I did not knowingly or willingly contract with the STATE OF NEW HAMPSHIRE commercially.

Therefore, I hereby revoke, rescind, and surrender any and all contracts with the State of NEW HAMPSHIRE which infringes upon my unalienable and natural rights.

I have extensively researched the organic laws of the united states of America, and I can confirm the security of my unalienable RIGHTS and UNREGULATED RIGHT TO TRAVEL upon the public walkways and highways, roadways, trails, paths, or any other corridor intended to the free movement, travel, or conveyance of people and their allodial chattel and guests, unhindered by ANY private, corporate, or statute, or Department of Motor Vehicles regulation or so called requirement. This unalienable right is guaranteed by the 9th and 10th amendments of the organic Constitution of the united states of America (1789) and Bill of Rights (1791) and upheld by many supreme and other court decisions in support of those rights. I now RESERVE, ASSERT, and DEFEND all my natural rights.

THIS AFFIDAVIT constitutes a constructive filing, administrative notice, and an evidentiary document submitted upon demand of a drivers' license, registration and/or proof of insurance and as part of the record of ANY ensuing action and will be entered as evidence of said action.

I, Everett: Joseph, trustor, and beneficiary of Everett: Joseph-L, a.k.a. JOSEPH LAMOND EVERETT, a.k.a. JOSEPH EVERETT, attest and affirm that I do not utilize the public walkways and highways, roadways, trails, paths, or any other corridor for commercial purposes. I am NOT a 14th amendment "person" or citizen engaged in interstate commerce, nor am I compensated for the transport of goods or persons. I am NOT a "driver", nor am I an "operator" of a "motor vehicle". The driver's license is for "drivers" involved in the "transport of goods and persons" only. The driver's license is for the driver or operator of a "motor vehicle" used in the transport of goods and persons only. My private conveyance/carriage is NOT used in commerce. Therefore, it is NOT a "motor vehicle". The corporate STATE OF NEW HAMPSHIRE, Department of Motor Vehicles code¹, which is not law, does not disclose the true meaning of the statutes, but a "motor vehicle" is clearly defined in the United States Code².

Let it be known, heretofore, as a **non-holder** of a "driver's license" my unalienable and natural rights remain in tact.

I am not effectively connected with a trade or business in the corporate monopoly of the United States, whether federal, state, county, parish, or municipal. I am NOT a resident, U.S. citizen, or U.S. person of the United States subject to the jurisdiction therein. I am one of the people that

¹ Code – noun, a system of words, letters, figures, or other symbols substituted for other words, letters, etc., especially for the purposes of secrecy.

Verb, convert (the words of a message) into a particular code in order to convey a secret meaning.

² 18 U.S. Code § 31 – Definitions (a) (6) **Motor vehicle**. The term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo.

represent the popular sovereignty. I am domiciled in a foreign jurisdiction to both the federal and state governments.

Let this affidavit also serve as notice that the STATE OF NEW HAMPSHIRE did not participate in the purchase of the private conveyances for which they confiscated the allodial title known as the Manufacturer's Source of Origin or MSO. The state had no right or authority to confiscate said allodial title and I, Joseph L. Everett, expect said titles to be returned within 60 days of this notice.

Therefore, I have determined and hereby affirm and under oath, by virtue of my sovereignty as one of the people of New Hampshire and the united states of America, and case law supporting said determination, that I am NOT required to have permission from either the government or the government's corporation's to travel, NOT required to have a "driver's license" and NOT required to register my private conveyance or any other property or chattel, nor to surrender the allodial title to any state as security against government indebtedness and the undeclared bankruptcies (1930, 1938). ANY legislative rule, regulation or statutory act, of ANY state legislature or judicial tribunal, to the contrary is NULL and VOID.

American case law has clearly adjudicated that....

"Where rights secured by the Constitution are involved, there can be no rule making which would abrogate them."

Miranda v. Arizona 284 U.S.

"The claim and exercise of a constitutional right cannot be converted into a crime."

Miller v. U.S., 230 F 2d 486, 489

"For a crime to exist there must be an injured party.

There can be no sanction or penalty imposed upon one because of his exercise of his constitutional rights."

Sherar v. Cullen, 486 F. 945

ANY action involving a citation or ticket issued, confiscation, impoundment or search and seizure of my private property by a police officer, or ANY other public servant or employee that carries a fine or jail sentence is a penalty or sanction, thus converting a right into a crime. ANY citation or ticket is thus NULL and VOID. Under every circumstance without exception, government officials must hold the Constitution for the united states of America 1789 supreme over ANY other laws, regulations or orders. Every police (executive) officer or judicial officer

has sworn an oath³ to protect the lives, property and rights of the people of the united states of America under the supreme law of the land. ANY act to deprive any of the people of their natural rights or constitutional rights is a direct violation of their oath of office, a felony and federal crime. Title 18 (criminal code).

ANY action by a police (executive) officer, officer of the court, public servant or government official to assert unlawful authority under the "color of law" will be construed as a direct and willful violation of my constitutionally protected rights, and with violation and/or harm in any way to me will be prosecuted to the fullest extent of American law⁴.

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death. [18, USC 242]

Pursuant to Title 28 USC §1746 (1) and executed "without the United States", I affirm under penalty of perjury under the laws of the united states of America that the foregoing is true and correct, to the best of my belief and informed knowledge.

As knowledge is ever expanding the deponent may amend this document at any time.

And further deponent saith not.

I now affix my autograph to all the above WITH EXPLICIT RESERVATION OF ALL MY

³ The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States. U.S. Constitution Article 6 Clause 3

⁴ "Public officials are not immune from suit when they transcend their lawful authority by invading rights."
AFLCIO v. Woodward, 406 F2d 137 t.

unalienable RIGHTS, WITHOUT PREJUDICE TO ANY OF THOSE RIGHTS, PURSUANT TO UNIFORM COMMERCIAL CODE (UCC) 1-207, 1-308 AND 1-103.

Verification

Any man or woman having firsthand knowledge of all the facts asserted herein and having absolute power and authority to rebut this affidavit must rebut with the rebutting party's own signature and endorsement notarized, under the penalty of perjury and willing to testify, and executed as true, correct, and complete with positive proof attached. Absent positive proof any rebuttal shall be deemed null and void having no force or effect, thereby waiving any of immunities or defenses.

Any rebuttal shall be mailed to the undersigned within ten (10) calendar days of receipt of this Affidavit. When a rebuttal is not received by both the Affiant within 10 days this entire Affidavit and default provisions shall be deemed true and correct.

FURTHER AFFIANT

SAITH NOT!

This Affidavit of Revocation of Signature for Good Cause is dated the 6th Day of December in the Year of Our Lord, Two Thousand Twenty-Three [6 December A.D 2023]

Without Prejudice. All rights reserved.

L.S. Everett: Joseph-L SEAL
(Everett: Joseph-L); **real living man**
c/o 154 Sagamore St
Manchester, NH Near; [03104]

Failure to respond within 10 days constitutes agreement.

My marked and seal this 6th day of December, 2023 under penalties of perjury by affiance.

By: Everett Joseph
Affiant
All rights retained and reserved.



6 Dec 2023

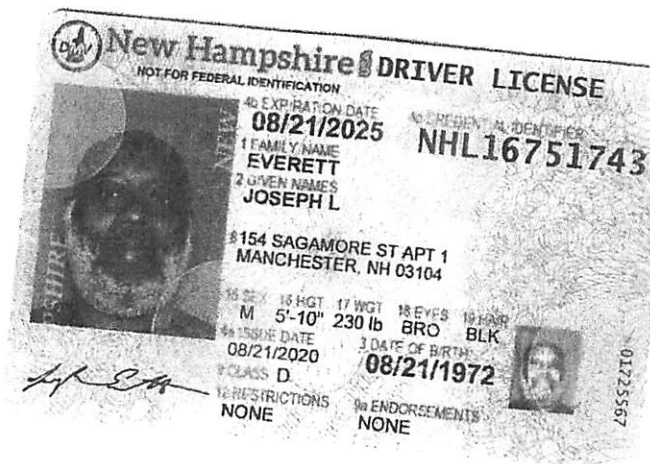
State of NEW HAMPSHIRE) **Jurat**
) ss.
County of HILLSBOROUGH)

Subscribed and sworn/affirmed to and with all rights reserved, Everett: Joseph-L before me, the undersigned, a Notary Public in and for New Hampshire, personally appeared the above-signed, known to me to be the one whose name is autographed on this instrument, and has acknowledged to me that he/she has executed the same. this 6 day of December, A.D. 2023.

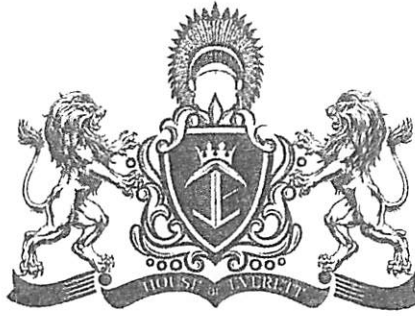
Notary public [Signature]
My Commission Expires _____

YEE TIP EDITH CLARK
Notary Public - New Hampshire
My Commission Expires June 19, 2024

Attachment A



Registration /VIN #:4JGBB8GB9AA601178



AFFIDAVIT TO INVOKE RIGHT TO TRAVEL

The affiant **Joseph Lamond Everett**, in Propria Persona (my own proper self), deposes as follows under oath:

The affiant is not a lawyer and his pleadings cannot be treated as such. In fact, according to *Haines v. Kerner*, 404 U.S. 519 (1972), a complaint "however inartfully pleaded," must be held to "less stringent standards than formal pleadings drafted by lawyers" and can only be dismissed for failure to state a claim if it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Id.*, at 520-521, quoting *Conley v. Gibson*, 355 U.S. 41, 45-46 (1957).

"Indeed, no more than affidavits is necessary to make a prima facie case." (See *United States v. Kis*, 658 F. 2nd, 526, 536 (7th Cir. 1981): Cert Denied, 50 U.S.L.W. 2169; S. Ct. March 22, 1982.)

This affidavit is submitted upon demand of a driver's license, registration or proof of insurance, and/or tag, as part of the official record of any ensuing action and must be introduced as evidence in said action.

That I, **Joseph Lamond Everett**, do not under any circumstances utilize the public highways for commercial purposes. I am not a 14th Amendment legal "Person" engaged in interstate commerce, nor do I derive income from travel and transport of goods. I am not a driver, nor am I an operator of a Commercial Motor Vehicle. The Driver's License is for Commercial Motor vehicles involved in commerce only. My Private, self-propelled contrivance/carriage is not involved in commerce; therefore, it is not a "Commercial Motor vehicle." The corporate state of, New Hampshire, does not disclose the true intent and purpose of the statutes through a "Commercial Motor Vehicle," as is adequately and clearly defined in the 49 United States Code (USC) section 31301.

The affiant asserts that he is not an employee as defined by 49 USC Section 31301(7), "An employee means an operator of a Commercial Motor Vehicle, including an independent contractor who is employee by an employer."

The affiant asserts that he is not an employer as defined by 49 USC Section 31301 (8), "Employer means a person (including the United States Government, a State, or a political subdivision of a state) that owns or leases a Commercial Motor Vehicle or assigns employees to operate a Commercial motor Vehicle."

The affiant doesn't not have or need a driver's license, because the state is not his employer and nor is he an employee of the state. The state would have to pay me if I had a driver's license, because I would then be an employee. According to the 49 USC Section 31301, only people who are engaged in commerce need a driver's license. A Commercial Motor Vehicle is for commerce and for employers who are paying drivers' wages. The affiant doesn't qualify for a driver's license, according to the said United States Codes, and therefore, he doesn't have or need a driver's license.

Shapiro vs. Thomas, 394 U.S. 618 April 21, 1969. Further, the right to travel by private conveyance for private purposes upon the common way cannot be infringed. No license or permission is required for travel when such travel is not for the purpose of commercial profit or gain on the open highways operating under license in commerce." *Murdock v. Penn*, 319 U.S. 105, (1943) "No state shall convert a liberty into a privilege, license it, and attach a fee to it."

"The privilege of using the streets and highways by the operation of motor carriers for hire can be acquired only by permission or license from the state or its political subdivision." (See *Black's Law Dictionary*, 5th ed. Page 830.)

I cannot in good faith apply for and accept a driver's license, as I would be committing perjury. I would have to swear under oath that I am a member of, citizen of, franchisee of, or resident (agent) of the corporate state of New Hampshire when the already established facts by affidavit have evidenced that I am not a member of, citizen of, franchisee of, or resident.

Therefore, I have determined and hereby affirm by affidavit and under oath, by virtue of my declared Sovereignty supported by American case law, Constitution, and United States Codes that I am not required to have government permission to travel, not required to have a driver's license, not required to have vehicle registration of my personal property, tag, nor Insurance. Additionally, affiant is not required to surrender the lawful title of my duly conveyed property to the state as security against government indebtedness and the undeclared federal bankruptcy. Any administrative rule, regulation or statutory act of any state legislature or judicial tribunal to the contrary is unlawful and clearly unconstitutional, thus null and void.

NOTICE TO ALL LAW ENFORCEMENT: American Nationals and Citizens are not required to show identification to a police officer. The Police Officer swears by oath to uphold the United States Constitution as an Officer of the Law. US Supreme Court Decisions are considered the Law of the Land in regards to constitutionally protected rights, and they cannot be interpreted, or re-interpreted, as they are 'stare decisis' (already reviewed and clearly described as Law).

SUPREME COURT CASE:

Kolender v. Lawson (461 U.S. 352, 1983) in which the United States Supreme Court ruled that a police officer could not arrest a citizen merely for refusing to present identification. There is no such thing as "Failure to identify." You can sue the police for an illegal arrest and resist arrest with impunity! "An illegal arrest is an assault and battery. The person so attempted to be restrained of his liberty has the same right to use force in defending himself as he would in repelling any other assault and battery." (*State v. Robinson*, 145 ME. 77, 72 ATL. 260). "Each person has the right to resist an unlawful arrest. In such a case, the person attempting the arrest stands in the position of a wrongdoer and may be resisted by the use of force, as in self-defense." (*State v. Mobley*, 240 N.C. 476, 83 S.E. 2d 100).

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“One may come to the aid of another being unlawfully arrested, just as he may where one is being assaulted, molested, raped or kidnapped. Thus it is not an offense to liberate one from the unlawful custody of an officer, even though he may have submitted to such custody, without resistance.” (Adams v. State, 121 Ga. 16, 48 S.E. 910). . “These principles apply as well to an officer attempting to make an arrest, who abuses his authority and transcends the bounds thereof by the use of unnecessary force and violence, as they do to a private individual who unlawfully uses such force and violence.” Jones v. State, 26 Tex. App. 1; Beaverts v. State, 4 Tex. App. 1 75; Skidmore v. State, 43 Tex. 93, 903

The right to Park or Travel is part of the Liberty of which the Natural Person, citizen cannot be deprived without “due process of law” under the Fifth Amendment of the United States Constitution. (See Kent v. Dulles 357 US 116, 125)

“Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his property in the ordinary course of his business or pleasure, though this right may be regulated in accordance with the public interest and convenience (“Regulated” here means traffic safety enforcement: stop lights, signs, etc.). The use of the highways for the purpose of travel and transportation is not a mere privilege, but a common and Fundamental Right of which the public and Natural Beings cannot be deprived.” (See Chicago Motor Coach v. Chicago, 337 Illinois 200, 169 NE 22, ALR; Ligare v. Chicago 139 ILL. 46, 28 HE 934; and also see Boone v. Clark 214 SW 607, 25 AM jur (1st), Highways, sec. 163.)

“The right of the citizen to travel upon the public highways and to transport his property thereon, either by carriage or by automobile, is not a mere privilege which a city may prohibit at will, but a common right which he has under the right to life, liberty, and the pursuit of happiness.”(See Thompson v. Smith, 154 SE 179.)

State Police Power extends only to immediate threats to public safety, health, welfare, etc., (See Michigan v. Duke 266 US, 476 Led. At 449) which driving and speeding are not (See California v. Farley Ced. Rpt. 89, 20 CA3d 1032 (1971).

The state is prohibited from violating Substantive Rights (See Owens v. City, 445 US 662 (1980); and it cannot do by one power (e.g. Police Power) that which is, for example, prohibited expressly to any other such power (e.g. Taxation / Eminent Domain) as a matter of Law. (See US and UT v. Daniels, 22 p 159), nor indirectly that which is prohibited to it directly. (See Fairbanks v. US 181, US 283, 294, 300.)

"With regard particularly to the U.S. Constitution, it is elementary that a Right secured or protected by that document cannot be overthrown or impaired by any state police authority." --Connolly vs. Union Sewer Pipe Co.184 US 540.

“Undoubtedly the right of locomotion, the right to move from one place to another according to inclination, is an attribute of personal liberty, and the right, ordinarily, of free transit from or through the territory of any State is a right secured by the 14th amendment and by other provisions of the Constitution.” (See Schactman v. Dulles, 96 App DC 287, 293.)

Traveling in an automobile on the public roads was not a threat to the public safety or health and

constituted no hazard to the public, and such a traveler owed no other duty to the public (e.g. the State); he / she and his / her auto, having equal right to and on the roadways / highways as horses and wagons, etc.; this same right is still Substantive Rule, in that speeding, running stop signs, traveling without license plates, or registration, are not threats to the public safety, and thus, are not arrestable offenses (See Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905—1910; and also see California v, Farley 98 CED Rpt. 89, 20 CA 3d 1032 (1971).

Under the United States Republic's Constitutional system of Government and upon the individuality and intelligence of the citizen, the State does not claim to control one's conduct to others, leaving one the sole judge as to all that affects oneself. (See Mugler v. Kansas 1213 US 623, 659—60.)

Where Rights secured by the Constitution are involved, there can be no rule - making or legislation, which would abrogate them. (See Miranda v. Arizona 384 US 436, 125.)

The claim and exercise of Constitutional Rights cannot be converted into a crime. (See Miller v. Kansas 230 F 2nd 486, 489.)

"The right to travel on the public highways is a constitutional right."--Teche Lines v. Danforth, Miss. 12 So 2d 784, 787

For a crime to exist there must be an injured party (Corpus Delicti). There can be no sanction or penalty imposed on one because of this Constitutional Right. (See Sherer v. Cullen 481 F. 945.)

If any Tribunal (court) finds absence of proof of jurisdiction over a person and subject matter, the case must be dismissed. (See Louisville v. Motley 2111 US 149, 29S. CT 42. "The Accuser Bears the Burden of Proof Beyond a Reasonable Doubt".)

"Lack of Federal Jurisdiction cannot be waived or overcome by agreement of parties." (See Griffin v. Matthews, 310 F Supra 341, 342 (1969): and "Want of Jurisdiction may not be cured by consent of parties". (See Industrial Addition Association v. C.I.R., 323 US 310, 313.)

"Public officials are not immune from suit when they transcend their lawful authority by invading rights." (See AFLC10 v. Woodward, 406 F. 2d 137 t.)

"Officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law." Owen v. Independence, 100 S.C.T. 1398, 445 US 622.

Any Municipal Officer, Person, Personnel, Employee or Contractor who violate the Rights of the People or Citizens are subject to suit in their personal and/or official capacity, to wit: Title 18, Part 1, Chapter 13 §241 of United States Codes of Law, *"If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, commonwealth, Possession, or district in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or Laws of the United States, or because of his having so exercised the same; or... If two or more persons go in disguise on the highway, or on the premises of another; with the intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured - They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section, or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death."*

According to, Title 18, Part 1, Chapter 13 §242 of United States Codes of Law: *"Whoever, under 'color' of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or Laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, that are prescribed for the citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section, or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years or for life, or both, or may be sentenced to death."*

The fee for illegal incarceration according to Trezevant v. City of Tampa, 741 F.2d 336(11th cir.1984), is \$65,217 dollars per hour, and \$1,800,000 (\$1.8 Million) dollars per day. The defendant came to this conclusion, because in Trezevant, a Motorist illegally held for 23 minutes in a traffic charge was awarded \$25,000 in damages (Note: multiply the total number of days defendant served behind bars with the going fee of \$1.8 million dollars per day, in order to determine how much money to ask for).

"The Officers of the law, in the execution of process, are obliged to know the requirements of law, and if they mistake them, whether through ignorance or design, and if anyone is harmed by their error, they must respond in damages." (See Roger v. Marshall (United States use of Rogers v. Conklin), 1 Wall. (US) 644, 17 Led 714.).

"Traffic Infractions are not a crime or public offense." (See People v. Battle, 50 Cal.App.3d Supp.1).

"It is a general rule that an officer, executive, administrative, quasi-judicial, ministerial, or otherwise, who acts outside the scope of his jurisdiction, and without authorization of law may thereby render himself amenable to personal liability in a civil suit." (See Cooper v. O'Conner, 69 App DC 100, 99 F (2d).

The high Courts, through their citations of authority, have frequently declared, that "...where any state proceeds against a private individual in a judicial forum it is well settled that the state, county, municipality, etc. waives any immunity to counters, cross claims and complaints, by direct or collateral means regarding the matters involved." (See Luckenback v. The Thekla, 295 F 1020, 226 Us 328; Lyders v. Lund, 32 F2d 308.)

"Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea, 10 Coke 68; also Bradley v. Fisher, 13 Wall 335,351." Manning v. Ketcham, 58 F.2d 948.

Any action involving a citation or ticket issued, confiscation, impoundment or illegal search and seizure of private property by a police officer, or any other public servant or employee which carries a fine, jail time, or the posting of exorbitant bail, will be considered a penalty or sanction against this sovereign natural being. Thus, you must have probable cause that I have in fact, not in theory, committed a crime to justify such actions, and be willing to sign such information under oath. The Common Law definition of a crime is to injure a human being or damage someone's property. If the affiant has not injured someone or damaged someone's property there will be no Common Law jurisdiction for an arrest and conviction.

The affiant explicitly reserves, asserts and defends his Right to Travel. The Affiant has exercised this right by expatriating from UNITED STATES citizenship of the federal United States and its political subdivisions, including municipal, county and state corporations. I the affiant, Joseph Lamond Everett, have reclaimed my lawful, human Rights and Common Law rights, under Article IV Section IV of the

Constitution (Republican form of Government). The Affiant is an American Nation of the New Hampshire Republic. As such, Affiant enjoys diversity of citizenship, and qualifies as federal custody only.

Take judicial Notice of the Procedures concerning diversity of citizenship, the jurisdiction of the subject matter, and person required to appear. Corporate, administrative courts and tribunals have no original jurisdiction over private individuals/natural beings whatsoever, because such courts are colorable and they only deal with colorable law, which is things that appear to be real, but are not real, e.g., codes, statutes, Rules, Regulations, Policies, and ordinances. Such law is designed for code breakers of the corporation of the US, which is an administration due to the presidential declared State of Emergency (the 1959 Executive Order 10834 placed this court under the State of Emergency and under jurisdiction of the presidential flag and under military jurisdiction). Now, the gold military fringe around the US flag makes sense now, because the courts are under military jurisdiction.

This affiant is not part of the administration and is not subject to its jurisdiction whatsoever. This is a constructive lawful notice submitted upon demand of driver's license, vehicle registration, tag, or proof of insurance. Anyone who violates the affiant's rights will be held liable in both their individual and official capacity. This affiant strongly advises you proceed with caution and full knowledge of the consequences of your actions upon this private individual/Natural being. Purchasing an automobile for my private travels doesn't require a **DRIVER'S LICENSE, REGISTRATION OR PROOF OF INSURANCE, AND/OR TAG**. If the company at hand does not want to do business with me because of the fact that I have no **DRIVER'S LICENSE, REGISTRATION OR PROOF OF INSURANCE, AND/OR TAG** and then the automobile(s) becomes **FREE OF CHARGE(TAX FREE) AND I AM DUE THE FULL PRICE AUTOMOBILE(S) AFTER TAXES**.

WHEREFORE, based upon the foregoing evidence and the authority cited therein, the affiant respectfully declares for the public record his God given rights as a private individual/natural being, that the affiant doesn't need driver's license, tag, and insurance to take advantage of his federally secured Fundamental Right to Travel, and nor can he be taxed, arrested, detained, or prosecuted civilly or criminally in any colorable court of law for the expressed exercise of his Right to Travel. Let all of the above be known.

The Respondents have 15 days to refute this affidavit point by point. Failure to do so will result in it being deemed true and correct at law. Also I need 12 USADOT foreign national plates for my automobile(s). My registered USDOT # 4151103

Signed and Sealed by Joseph-Li Everett Dated: 5/Feb/24

Natural Person - In Propria Persona – Joseph Lamond Everett

ALL RIGHTS RESERVED - WITHOUT PREJUDICE


VERIFICATION

State of New Hampshire)

)

County of Hillsborough.)

Subscribed and affirmed before me on this 5 day of February, 20 24, by Joseph Lamond Everett, who proved to me on the basis of satisfactory evidence to be the Person who appeared before me. Witness my hand and official Seal.

Signature: 

LEE TIP EDITH CLARK
Notary Public - New Hampshire
Seal: My Commission Expires June 19, 2024

See NOTICE OF FEE SCHEDULE FOR VIOLATION OF AFFIDAVIT OF TO INVOKE RIGHT TO TRAVEL

RECEIVED

SEP 04 2024

9th CIRCUIT COURT - MILFORD

****STATE OF NEW HAMPSHIRE****
****DISTRICT COURT OF MILFORD****

****Case No.: 458-2024-CR-00623 ****

****Plaintiff:** STATE OF NEW HAMPSHIRE**
****Defendant:** JOSEPH L EVERETT**

****ENTRY OF APPEARANCE****

****To the Clerk of the Court:****

Please enter the appearance of ****Joseph-Lamond; Everett**** as represented agent in the above-captioned matter.

****Contact Information:****

- ****Name:**** Joseph Lamond Everett
- ****Address:**** % 1 Hardy Rd unit 312, Bedford, NH 03110
- ****Phone Number:**** 603-820-9632
- ****Email Address:**** mindevolution@proton.me

****Date:**** 9/3/24

****Signature:****

By: /s/ Joseph-Lamond; Everett
/s/Joseph-Lamond; Everett

RECEIVED
Clear Form

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

SEP 04 2024

9th CIRCUIT COURT - MILFORDCourt Name: 9th Circuit - District Division - MilfordCase Name: State v. JOSEPH L EVERETTCase Number: 458-2024-CR-00623
(if known)**MOTION: TO PETITION FOR ORIGINAL JURISDICTION**I, Joseph-Lamond; Everett

state the following facts and request the following relief:

I am petitioning for original jurisdiction Pursuant to New Hampshire Rule 11. The attached supporting documents you will find my claim(s) with supporting evidence please addmit them into the case for the record. For the assigned Judicial judge review.

9/3/24
 Date

By: /s/ Joseph-Lamond; Everett
 Signature
c/o 1 Herdy Rd unit 312, Bedford, NH 03110
 Address

Telephone

I certify that on this date I provided a copy of this document to Amburst Police Dept. (other party) or to
 (other party's attorney) by: ☐ Hand-delivery OR ☒ US Mail OR
☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

By: /s/ Joseph-Lamond; Everett
 Signature
ORDER☐ Motion granted.☒ Motion denied.

Recommended:

as unclear, insufficiently developed + unsupported by credible facts.

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

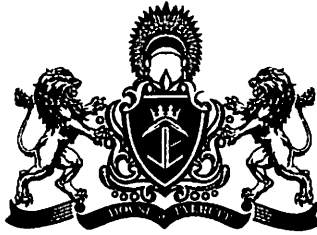
I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

SEP 23 2024

Signature of Judge

Todd H. Prevett

Printed Name of Judge



*****STATE OF NEW HAMPSHIRE****

*****9th CIRCUIT COURT - DISTRICT DIVISION - MILFORD****

*****State of New Hampshire,****

*****v.****

##Joseph L. Everett**

*****Case No.** 458-2024-CR-0063**

*****PETITION FOR ORIGINAL JURISDICTION****

*****NOW COMES**** the Defendant, Joseph L. Everett, by and through his Agent, and respectfully petitions this Honorable Court for original jurisdiction pursuant to New Hampshire Rule 11. In support of this petition, the Defendant states as follows:

1. *****Lack of Compliance with New Hampshire Rule 7:**** The State has failed to comply with the requirements set forth in New Hampshire Rule 7, which necessitates a clear and concise statement of the claim. The lack of such a statement undermines the validity of the proceedings against the Defendant.
2. *****Absence of a Valid Claim:**** The State has not provided a valid claim, as required by law. The absence of a legitimate claim renders the charges against the Defendant baseless and without merit.
3. *****Grounds for Rule 803(10):**** The State's failure to provide a valid claim also impacts the applicability of Rule 803(10), which pertains to the absence of a public

record or entry. The lack of a valid claim means there is no basis for the application of this rule.

4. *****Violation of New Hampshire Rule 38:**** The proceedings against the Defendant violate New Hampshire Rule 38, which ensures the right to a fair and impartial trial. The deficiencies in the State's case compromise the Defendant's right to due process.
5. *****Non-Compliance with New Hampshire Rule 34:**** The State has not adhered to the requirements of New Hampshire Rule 34, which governs the procedures for pretrial motions. The failure to comply with these procedures further prejudices the Defendant's case.

*****WHEREFORE****, the Defendant respectfully requests that this Honorable Court:

- A. Assume original jurisdiction over this matter pursuant to New Hampshire Rule 11;
- B. Dismiss the Plaintiff's complaint with prejudice;
- C. Dismiss the charges against the Defendant due to the State's failure to comply with New Hampshire Rule 7 and the lack of a valid claim;
- D. Grant any other relief that this Court deems just and proper.

*****Respectfully submitted,****

By: /s/ Joseph-Lamond:Everett
/s/Joseph-Lamond:Everett

% 1 Hardy Rd unit 312

Bedford, NH 03110

603-820-9632

mindevolution@proton.me

*****Dated:** 8/30/24**

**IN THE COURT OF NH CIRCUIT
9th Circuit-District Division-Milford**

**THE STATE OF NEW HAMPSHIRE
FICTITIOUS FOREIGN STATE**
Plaintiff

CASE #458-2024-CR-00623

Vs

JUDGE: JUDICIAL REVIEW JUDGE

Joseph-Lamond; Everett
Petitioner

**ADMINISTRATIVE NOTICE;
IN THE NATURE OF A WRIT OF
ERROR, CORAM NOBIS AND
DEMAND FOR DISMISSAL, OR
STATE THE PROPER JURISDICTION**

**ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR,
CORAM NOBIS AND A DEMAND FOR DISMISSAL,
OR STATE THE PROPER JURISDICTION**

Now comes Petitioner Joseph-Lamond; Everett a non-corporate entity with an
ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR, CORAM NOBIS
AND A DEMAND FOR DISMISSAL, OR STATE THE PROPER JURISDICTION. Pursuant to
FRCP Rule 4 (j).

This Court is defined under FRCP Rule 4 (j) as a FOREIGN STATE as defined under 28 USC 1602 -1611, FOREIGN SOVEREIGN IMMUNITY ACT (FSIA) and is being jurisdictionally challenged and full disclosure of the true jurisdiction of this Court is now being demanded.

Any failure to disclose the true jurisdiction is a violation of **15 Statutes at Large, Chapter 249 (section 1), enacted July 27, 1868 Chap. CCXLIX. ---An Act concerning the Rights of American Citizens in foreign States**

Whereas the rights of expatriation is a nature and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this government has freely received emigrants from all nations, and invested them with the right of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the government thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed; Thereof,

Be it enacted by the Senator and the House of Representatives of the United States of America in Congress assembled, That any declaration, instruction, opinion, order, or decision, of any officers of is government which denies, restricts, impairs or questions the rights of expatriation, is hereby declared inconsistent with the fundamental principles of this government.

As a Private American non-Citizen National I hold the inherent right of the 11th Amendment. "The Judicial power of the United States shall not be construed to extend to any

suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.” If this FOREIGN STATE is misusing the name of this America Citizen by placing it in all caps or misusing the last name or using the term “person” as a CORPORATION all complaints and suits against such CORPORATION fall under the FSIA and the DEPT OF STATE OFFICES in Washington DC. DC which now must be notified pursuant to 22 CFR 93.1 -93.2. A copy of the FSIA must be filed with the complaint to the defendant’s chief executive officer of that CORPORATION.

MUNICIPAL, COUNTY, OR STATE COURTS lack jurisdiction to hear any case under the FOREIGN STATE definitions. This jurisdiction lies with the UNITED STATES DISTRICT COURT under the FSIA Statutes pursuant to 28 USC 1330.

Because the Defendant is a non-corporate entity and is not registered with any Secretary of State as a CORPORATION the Prosecution has **FAILED** to state a claim to which relief can be granted under 12(b)(6). Therefore this matter must be dismissed for lack of political, personam, or subject matter jurisdiction, or venue, and under the 11th Amendment.

Definitions

Corpus Juris Secundum "The Body of Law" or Legal encyclopedia, Volume 7, Section 4: as quoted: "Attorney & client: An Attorney's "first" duty is to the Courts (1st) and the public (2nd) and not to the client (3rd), and wherever the duties to an attorney's client "conflict" with those interests that he/she owes his allegiance to, as an officer of the court in the administration of justice, the former must yield to the latter." The biggest problem today is that the People do not know their own rights and blindly entrust their rights to someone else.

BLACK'S LAW DICTIONARY, FIFTH EDITION

Foreign Court The courts of a foreign state or nation. In the United States, this term is frequently applied to the courts of one of the states when their judgment or records are introduced in the courts of another.

Foreign jurisdiction Any jurisdiction foreign to that of the forum; e.g. a sister state or another country. Also the exercise by a state or nation jurisdiction beyond its own territory. Long-arm Service of process is a form of such foreign or extraterritorial jurisdiction.

Foreign laws The laws of a foreign country, or of a sister state. In conflict of law, the legal principle of jurisprudence which are part of the law of a sister state or nation. Foreign laws are additions to our own laws, and in that respect are called "jus receptum."

Foreign corporation A corporation doing business in one state though chartered or incorporated in another state is a foreign corporation as to the first state, and, as such, is required to consent to certain conditions and restriction in order to do business in such first state. Under federal tax laws, a foreign corporation is one which is not organized under the law of one of the states or territories of the United States.

I.R.C., §7701(a)(5). Service of process on foreign corporation is governed by the Fed. R. Civ. P. 4. See also Corporation.

TITLE 26 - INTERNAL REVENUE CODE, Subtitle F - Procedure and Administration, CHAPTER 79 – DEFINITIONS Sec. 7701.

Definitions

(5) Foreign

The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic.

Foreign service of process Service of process for the acquisition of jurisdiction by a court in the United States upon a person in a foreign country is prescribed by Fed R. Civ. P. 4 (i) and 28 U.S.C.A. § 1608. Service of process on foreign corporation is governed by Fed. R. Civ. P. 4(d) (3)

Foreign states Nations which are outside the United States. Term may also refer to another state; i.e. a sister state.

Foreign immunity With respect to jurisdiction immunity of foreign nation, see 28 U.S.C.A 1602 et seq.

Profiteering Taking advantage of unusual or exceptional circumstance to make excessive profit; e.g. selling of scarce or essential goods at inflated price during time of emergency or war.

Person In general usage, a human being (i.e. nature person) though by statute term may include a firm, labor organizations, partnerships, associations, corporations, legal representative, trustees, trustees in bankruptcy, or receivers. National Labor Relations act, §2(1). A corporation is a "person" within meaning of equal protection and due process provisions of the United States Constitution.

Writ of error, coram nobis

A common-law writ, the purpose of which is to correct a judgment in the same court in which it was rendered, on the ground of error of fact, for which was provided no other remedy, which fact did not appear of record, or was unknown to the court when judgment was pronounced, and which, if known would have prevented the judgment, and which was unknown, and could of reasonable diligence in time to have been otherwise presented to the court, unless he was prevented from so presenting them by duress, fear, or other sufficient cause.

At common law in England, it issued from the Court of Kings Bench to a judgment of that court. Its principal aim is to afford the court in which an action was tried and opportunity to correct its own record with reference to a vital fact not known when the judgment was rendered. **It is also said that at common law it lay to correct purely ministerial errors of the officers of the court.**

By: /s/ Joseph L. Everett [LS]
Joseph Lamond; Everett

% 1 Hardy Rd unit 312

Bedford, NH [03110]

Motion ~~Granted~~ / Denied

*for reasons stated on
face of motion.*
[Signature]
Judge

PROOF OF SERVICE

Now comes Joseph-Lamond; Everett with an **ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR, CORAM NOBIS AND A DEMAND FOR DISMISSAL OR STATE THE PROPER JURISDICTION.** To be placed before the Clerk of Court of MILFORD DISTRICT COURT on this day of September 4th in the year of our Lord 2024 AD.

By: Joseph-L. Everett [S]

Joseph-L; Everett

% 1 Hardy Rd unit 312

Bedford, NH 03110

Cc:

Plaintiff

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT**

9th Circuit - District Division - Milford
4 Meadowbrook Drive
Milford NH 03055

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

NOTICE OF DECISION

FILE COPY

Case Name: **State v. JOSEPH L EVERETT**
Case Number: **458-2024-CR-00623**

Enclosed please find a copy of the Court's Order dated September 05, 2024 relative to:

Motion for Discovery- Denied, as Defendant's requested legal relief according to the Clearfield Doctrine is wholly unclear.

So ordered,

Judge Todd H Prevett

September 05, 2024

Coreen L. Russell
Clerk of Court

(371)

C: JOSEPH L EVERETT; Amherst Police Department

9/9

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

RECEIVED

AUG 23 2024

9th CIRCUIT - MILFORDCourt Name: 9th Circuit - District Division - MilfordCase Name: State v. JOSEPH L EVERETTCase Number: 458-2024-CR-00623
(if known)**MOTION: For Discovery of body cam and dash cam footage**I, Joseph Everett

state the following facts and request the following relief:

I am requesting the body cam and dash cam footage from both officers who were in attendance. The
footage on the cam of both officers provides supporting evidence of the violations. I would like an order for
this evidence to be present for this hearing and copies sent to the defendant to complete proper
preparations.

8/21/24
Date603-820-9632
Telephone

By: Joseph Everett "without Prejudice"
 Signature
46 Hardy Rd unit 312, Bedford, NH 03110
 Address

I certify that on this date I provided a copy of this document to Amherst Police Dept. (other party) or to
 (other party's attorney) by: ☐ Hand-delivery OR ☒ US Mail OR
☐ E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

Date

Signature

ORDER☐ Motion granted.☒ Motion denied.

Recommended:

as Defendant's requested
legal relief according to the Clearfield
Doctrine is wholly unclear.

Date

Signature of Marital Master/Referee

Printed Name of Marital Master/Referee

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial
 referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts
 determined by the marital master/judicial referee/hearing officer.

SEP 05 2024

Date

Signature of Judge

Todd H. Prevett
 Printed Name of Judge

✓
12

RECEIVED
AUG 27 2024
9th CIRCUIT COURT - MILFORD

****Claim Against the 9th Circuit Court of Milford, New Hampshire****

****To Whom It May Concern:****

I am writing to formally lodge a comprehensive claim against the 9th Circuit Court of Milford, New Hampshire, for identity theft and for violating a Supreme Court ruling under the Clearfield Doctrine. This claim pertains to the case of Joseph Lamond Everett, case number 458-2024-CR-00623.

****Violation of the Clearfield Doctrine:****

The Clearfield Doctrine, as established in *Clearfield Trust Co. v. United States*, 318 U.S. 363 (1943), asserts that when governments engage in commercial activities, they descend to the level of a mere private corporation and are subject to the same laws as any private corporation. The 9th Circuit Court of Milford, by relying on commercial systems and papers, has effectively reduced itself to a private corporation, thereby violating this Supreme Court ruling. This reliance on commercial instruments undermines the court's sovereignty and subjects it to the same legal standards as any private entity.

****Identity Theft and Aiding and Abetting:****

The Clerk of Court has unlawfully obtained and used Mr. Everett's personal identifying information (PII) without his expressed written permission. This constitutes identity theft under 18 U.S.C. § 1028, which criminalizes the unauthorized use of another person's PII with the intent to commit, aid, or abet any unlawful activity. The Clerk of Court's actions in facilitating the unauthorized use of Mr. Everett's PII amount to aiding and abetting identity theft, further compounding the legal violations.

****Monetary Value of PII:****

Mr. Everett's PII has a significant monetary value of \$7 million. This valuation is based on the potential financial harm and loss of privacy that Mr. Everett would suffer if forced to operate in a foreign administrative capacity due to this identity theft. The unauthorized use of his PII exposes him to substantial financial and reputational risks, warranting compensation for the damages incurred.

****Violation of Consumer Protections:****

These charges also violate consumer protections under 15 U.S.C. § 1692e(7), which prohibits false representations or implications that the consumer committed any crime or other conduct in order to disgrace the consumer. The actions of the 9th Circuit Court of Milford have falsely implicated Mr. Everett in a manner that violates this statute.

****Failure to Include Debt Collector's Declaration:****

Furthermore, the charges fail to include the debt collector's declaration, in violation of the Fair Debt Collection Practices Act (FDCPA). This omission is a significant procedural error that undermines the legitimacy of the charges and further infringes upon Mr. Everett's rights.

****Attempt to Embezzle Federal Funds:****

The identity theft perpetrated by the 9th Circuit Court of Milford is also an attempt to embezzle federal funds. By unlawfully using Mr. Everett's PII, the court is engaging in fraudulent activities that could result in the misappropriation of federal resources.

****Notification to IRS and FTC:****

Given that the 9th Circuit Court of Milford is operating as a private corporation and not a governmental entity, I am also informing the Internal Revenue Service (IRS) and the Federal Trade Commission (FTC) of this matter. The court's actions are not only a violation of Mr. Everett's rights but also a breach of federal regulations regarding identity theft and the misuse of personal information. The IRS and FTC must investigate the court's operations to ensure compliance with federal laws and protect the public from further harm.

****Conclusion:****

This claim seeks immediate redress for the identity theft, the violation of the Clearfield Doctrine, and the breaches of consumer protection laws. The 9th Circuit Court of Milford must cease its unauthorized use of Mr. Everett's PII, rectify the procedural errors, and compensate him for the financial damages incurred. Additionally, the court must undergo a thorough review of its reliance on commercial systems to prevent future violations of the Clearfield Doctrine. The court has five (5) days to respond to this claim and take corrective action.

Sincerely,


Joseph Lamond Everett



Federal Motor Carrier Safety Administration

Safety and Fitness Electronic Records (SAFER) System

SAFER Help**SAFER Data Field Names****General Snapshot Information**

The term "company" refers to a "Motor Carrier Industry Entity" which includes carriers, shippers, and registrants.

A snapshot is a condensed view of the company's profile as maintained by the Motor Carrier Management Information System (MCMIS). It includes information on the company's location, identification numbers, type, cargo carried or shipped, inspection summary, crash summary, and safety rating. Descriptions of individual data items are listed below. Users may directly access these descriptions by clicking on any underscored field name in the table. Note that these field names are colored by your browser and will change colors after you have clicked on them the first time. These colors will vary depending on your browser setup. The actual data fields are colored **blue** to distinguish them from the field names.

It is recommended, if possible, that higher screen resolutions (1024 X 768 or 800 X 600) be used to view the snapshot table, otherwise it will be necessary to scroll both vertically and horizontally in order to view all the data fields. Also, because of the way HTML tables are implemented, the columns may "word wrap" at lower resolutions causing the data to be more difficult to comprehend.

Some data is displayed in *tables* of rows and columns. An **X** in front of an item in a table indicates that the item is relevant to this company, while the absence of any character indicates that the item is *not* applicable. Some tables allow characters other than **X** and those *flags* are explained in the individual data item help references below.

Legal Name

This is the legal name of the company.

DBA Name

This may be a trade name under which the company does business. Any name identifying the entity other than the legal name.

Physical Address

Refers to the physical location of the company's principal office. The following data elements are included:

- **STREET**. Identifies the street address where the company's principal place of business is physically located.
- **CITY**. Identifies the city where the company's principal place of business is located.
- **STATE**. Identifies the State where the principal place of business is located. Two-letter postal abbreviation for the state.
- **ZIPCODE**, (EXPANDED ZIPCODE). Zip code which corresponds to the street address of the company's principal place of business (Any valid U.S. or Canadian zipcode or CANADA, MEXICO or CENTRA). Expanded zipcode refers to the last four digits of the zipcode. Example 37815-0310. If the expanded zipcode is known, the field will contain the dash (-). Some Canadian and Mexican addresses contain the word CANADA or MEXICO as part of the zipcode and Central American countries' zipcodes contain CENTRA. The first 5 characters will be stored in the ZIPCODE field and the last character will be stored in the EXPANDED ZIPCODE field.

Phone

The company telephone number at the principal place of business.

Mailing Address

The address at which a company receives mail.

USDOT#

This is the number assigned by MCMIS to a census record. It is sometimes referred to as the USDOT number. Each company should have only one active census number. The census number has no internal coded structure. Numbers are issued sequentially as carriers/shippers/registrants are added to the system.

State Carrier ID

Company I.D. number assigned by the state, often used in lieu of the USDOT#, for intrastate carriers/shippers/registrants.

MC/MX/FF Number(s)

Carrier number issued by the FMCSA granting authority for interstate operations. Prior to January 1, 1996, the MC number was issued by the Interstate Commerce Commission. Freight Forwarder docket numbers and MX numbers will also be listed in this field.

DUNS Number

This is the corporate registration number given by Dun & Bradstreet.

Entity Type

Refers to the type of operation in which the motor carrier is engaged. It identifies the entity as a carrier, hazardous materials shipper, both a carrier and a shipper, or

registrant.

Carrier Operations

Identifies the carrier as being engaged in interstate, intrastate hazardous material, or intrastate non-hazardous material transport activities.

Shipper Operations

Identifies the shipper as being engaged in interstate or intrastate hazardous material shipping activities.

Operation Classification

Identifies the type of motor carrier. MCMIS recognizes the following classifications for motor carrier type (NOTE: A carrier can have more than one type of classification):

- **Authorized-For-Hire.** A commercial motor carrier whose primary business activity is the transportation of property/passengers by motor vehicle for compensation.
- **Exempt-For-Hire.** A for-hire motor carrier transporting commodities or conducting operations not subject to economic regulation by the FMCSA.
- **Private (property).** A motor carrier whose highway transportation activities are incidental to, and in furtherance of, its primary business activity?
- **Private/Passenger Business.** A private motor carrier engaged in the interstate transportation of passengers which is provided in the furtherance of a commercial enterprise and is not available to the public at large.
- **Private/Passenger Non-Business.** A private motor carrier involved in the interstate transportation of passengers that does not otherwise meet the definition of a private motor carrier of passengers (business) (e.g., church buses).
- **Migrant.** A motor carrier who transports in interstate or foreign commerce at any one time, three or more migrant workers to or from their employment (refers to "contract carrier by motor vehicle").
- **U.S. Mail.** A motor carrier which transports U.S. Mail.
- **Federal Govt.** Transportation of property or passengers by a U.S. Federal Government agency.
- **State Govt.** Transportation of property or passengers by a U.S. State Government agency.
- **Local Govt.** Transportation of property or passengers by a local municipality.
- **Indian Tribe.** Transportation of property or passengers by an Indian tribal government.
- **Other Classification.** A motor carrier which does not fall into one of the classifications above (Description is in "Other" field).

Power Units

Identifies the number of Trucks, Tractors, Hazardous Material Tank Trucks, Motor Coaches, School Buses, Mini-Bus/Vans and Limousines owned, term leased or trip leased by the motor carrier.

Drivers

Total number of drivers employed by the carrier/shipper.

MCS-150 Form Date

Date from the MCS-150 Registration Form.

MCS-150 Form Mileage

Mileage from the MCS-150 Registration Form.

Cargo Carried

Identifies the type of cargo transported by the carrier/shipper.

Inspections

Number of roadside inspections conducted within the past two years. Inspections are listed as total, driver, vehicle, and Hazmat. There are five levels of inspections.

- Level 1 - a complete inspection
- Level 2 - a walk-around inspection
- Level 3 - a driver-only inspection
- Level 4 - an inspection for a special study
- Level 5 - a vehicle-only inspection
- Level 6 - Level 1 inspection plus additional examination of Radioactive Material

The inspection values listed in the table are based on the following totals:

Vehicle Inspection

Levels 1+2+5+6

Driver Inspection

Levels 1+2+3+6

Hazmat Inspection

Levels 1+2+3+4+5+6 (when Hazmat is present)

**Note that total inspections may not be the sum of the totals described above.*

The second row of the Inspections table indicates the number of inspections which resulted in an "Out of Service (OOS)" status. The OOS status reflects one or more OOS violations in a single inspection.

The third row is the percentage of the displayed carrier's inspections resulting in an "Out of Service" status.

The fourth row represents the National Average which is the percentage of all inspections conducted in the USA that resulted in an "Out of Service" status for the year 1999.

Crashes

Each crash is only recorded once and at its highest level of severity. For example, if an crash involved one fatality, three injuries, and one tow-away, the crash would only be recorded as a single fatal crash. The crash total is therefore the sum of the fatal, injury, and tow categories.

Inspections/Crashes in Canada

FMCSA and the CCMTA (Canadian Council of Motor Transport Administration) have a reciprocity agreement to provide the mutual exchange on inspection and crash data. The Inspection/Crashes in Canada section provides a count of vehicle and driver inspections (and Out Of Service Inspections) using the same five levels of inspections. The Canadian inspections do not include data on Hazmat inspections. The Canadian Crash data provides indicators of fatal crashes, injury related crashes, and crashes with a significant property damage. In the same as crash records reported in the United states, a Canadian reported crash is listed as one of these three categories. The crash total is therefore the sum of the fatal, injury, and property damage categories.

Carrier Safety Rating

This is a measure of the carrier's compliance with the Federal Motor Carrier Safety Regulations (FMCSR). Motor carriers rated before 1986 were assigned safety ratings based on previous procedures used to determine the carriers compliance with the FMCSR such as a Safety Management Audit, or a Re-investigation conducted on the carriers operation. Beginning in October 1986, motor carriers were assigned a safety rating based on a Safety Review or a Compliance Review. A Safety Review is an overview of a motor carrier's knowledge of the FMCSR. This covers all major areas of the Safety Regulations. Much of the rating is based on an interview with management. The main purpose is to educate a carrier about the FMCSR. A Compliance Review is a statistical sampling or audit of required records to determine a motor carrier's compliance with the FMCSR. An in-depth review of the motor carrier's records is made to check different categories of drivers, vehicles and trips. This review may be limited to specific problems and may include a detailed investigation of a problem area. The compliance status determination is based on FMCSR violations discovered during the review.

Any of the following codes may be found in this field:

- **Satisfactory:** Records indicate no evidence of substantial non-compliance with safety requirements.
- **Conditional:** Records indicate that the carrier was out of compliance with one or more safety requirements.
- **Unsatisfactory:** Records indicate evidence of substantial noncompliance with safety requirements.

EFFECTIVE DATE. The date the Safety/Compliance Review was input into MCMIS thus generating a safety rating.

Operating Status

- **OUT-OF-SERVICE:** Carrier is under any type of out-of-service order and is not authorized to operate.
- **Inactive USDOT Number:** Inactive per 49 CFR 390.19(b)(4); biennial update of MCS-150 data not completed.
- **AUTHORIZED FOR { Passenger, Property, HHG }:** This will list the specific operating authorities the carrier (or broker) is allowed to operate.
- **NOT AUTHORIZED:** The entity's USDOT number is active. However, the carrier does not have any operating authority and is not authorized to operate as an interstate, for-hire carrier.
*Please Note: **NOT AUTHORIZED does not apply to Private or Intrastate operations.**
- **ACTIVE:** The entity's US DOT number is active.

Out of Service Date

Indicates the date the company was ordered Out of Service. If there are multiple Out of Service orders, it will be the earliest date.

The Federal safety rating does not necessarily reflect the safety of the carrier when operating in intrastate commerce.

Carrier Safety Rating:

The rating below is current as of: 08/20/2024

Review Information:

Rating Date:	None	Review Date:	None
Rating:	None	Type:	None

SAFER Home | Feedback | Privacy Policy | USA.gov | Freedom of Information Act (FOIA) | Accessibility | OIG Hotline | Your Policies and Important Links | Plugins

Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE Washington, DC 20590 • 1-800-832-5660 • TTY: 1-800-677-8339 • Field Office Contacts

⊙ USDOT Number ☐ MC/MX Number ☐ Name

Enter Value: 4151103

Company Snapshot

OBSIDIAN LEGACY EXPRESS TRUST

USDOT Number: 4151103

ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

Carriers: If you would like to update the following ID/Operations information, please complete and submit form MCS-150 which can be obtained online or from your State FMCSA office. If you would like to challenge the accuracy of your company's safety data, you can do so using FMCSA's DataQs system.

USDOT Status

- **ACTIVE:** The entity's US DOT number is active.
- **INACTIVE:** Inactive per 49 CFR 390.19(b)(4); biennial update of MCS-150 data not completed.
- **OUT-OF-SERVICE:** Carrier is under any type of out-of-service order and is not authorized to operate.

Operating Authority Status

- **AUTHORIZED FOR { Passenger, Property, HHG }:** This will list the specific operating authorities the carrier (or broker) is allowed to operate.
- **NOT AUTHORIZED:** The entity does not have any operating authority and/or is not authorized to engage in interstate, for-hire operations.
*Please Note: **NOT AUTHORIZED** does not apply to Private or Intrastate operations.
- **OUT-OF-SERVICE:** Carrier is under any type of out-of-service order and is not authorized to operate.

Out of Service Date

Indicates the date the company was ordered Out of Service. If there are multiple Out of Service orders, the earliest date will be displayed.

Please note: If there are multiple Out-of-Service orders, the earliest date will be displayed.

For help on the explanation of individual data fields, click on any field name or for help of a general nature go to [SAFER General Help](#).

The information below reflects the content of the FMCSA management information systems as of 08/20/2024. Carrier VMT Outdated.

USDOT INFORMATION		
Entity Type:	CARRIER	
USDOT Status:	ACTIVE	Out of Service Date: None
USDOT Number:	4151103	State Carrier ID Number:
MCS-150 Form Date:	10/30/2023	MCS-150 Mileage (Year):
OPERATING AUTHORITY INFORMATION		
Operating Authority Status:	NOT AUTHORIZED	
	*Please Note: NOT AUTHORIZED <u>does not apply</u> to Private or Intrastate operations.	
	For Licensing and Insurance details click here .	
MC/MX/FF Number(s):		
COMPANY INFORMATION		
Legal Name:	OBSIDIAN LEGACY EXPRESS TRUST	
DBA Name:	JOSEPH LAMOND EVERETT	
Physical Address:	154 SAGAMORE ST APT 1 MANCHESTER, NH 03104-3217	
Phone:	(603) 820-9632	
Mailing Address:	1 HARDY RD PMB 312 UNIT 312 BEDFORD, NH 03110-4915	
DUNS Number:	--	
Power Units:	0	Drivers: 0
Operation Classification:		
Auth. For Hire	x Priv. Pass.(Non-business)	State Gov't
Exempt For Hire	Migrant	Local Gov't
x Private(Property)	U.S. Mail	Indian Nation
Priv. Pass. (Business)	Fed. Gov't	
Carrier Operation:		
Interstate	Intrastate Only (HM)	x Intrastate Only (Non-HM)
Cargo Carried:		
General Freight	Liquids/Gases	Chemicals
Household Goods	Intermodal Cont.	Commodities Dry Bulk
Metal: sheets, coils, rolls	Passengers	Refrigerated Food

Motor Vehicles	Oilfield Equipment	Beverages
Drive/Tow away	Livestock	Paper Products
Logs, Poles, Beams, Lumber	Grain, Feed, Hay	Utilities
Building Materials	Coal/Coke	Agricultural/Farm Supplies
Mobile Homes	Meat	Construction
Machinery, Large Objects	Garbage/Refuse	Water Well
Fresh Produce	US Mail	X OTHER

[ID/Operations](#) | [Inspections/Crashes In US](#) | [Inspections/Crashes In Canada](#) | [Safety Rating](#)

US Inspection results for 24 months prior to: 08/20/2024

Total Inspections: 0

Total IEP Inspections: 0

Note: Total inspections may be less than the sum of vehicle, driver, and hazmat inspections. Go to [Inspections Help](#) for further information.

Inspections:				
Inspection Type	Vehicle	Driver	Hazmat	IEP
Inspections	0	0	0	0
Out of Service	0	0	0	0
Out of Service %	0%	0%	0%	0%
Nat'l Average % as of DATE 07/26/2024*	22.26%	6.67%	4.44%	N/A

*OOS rates calculated based on the most recent 24 months of inspection data per the latest monthly SAFER Snapshot.

Crashes reported to FMCSA by states for 24 months prior to: 08/20/2024

Note: Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility.

Crashes:				
Type	Fatal	Injury	Tow	Total
Crashes	0	0	0	0

[ID/Operations](#) | [Inspections/Crashes In US](#) | [Inspections/Crashes In Canada](#) | [Safety Rating](#)

Canadian Inspection results for 24 months prior to: 08/20/2024

Total inspections: 0

Note: Total inspections may be less than the sum of vehicle and driver inspections. Go to [Inspections Help](#) for further information.

Inspections:		
Inspection Type	Vehicle	Driver
Inspections	0	0
Out of Service	0	0
Out of Service %	0%	0%

Crashes results for 24 months prior to: 08/20/2024

Note: Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility.

Crashes:				
Type	Fatal	Injury	Tow	Total
Crashes	0	0	0	0

[ID/Operations](#) | [Inspections/Crashes In US](#) | [Inspections/Crashes In Canada](#) | [Safety Rating](#)